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ABSTRACT

This reference guide outlines what is new for educational programs under the No Child Left Behind (NCLB) Act of 2001. It also describes how the NCLB's four guiding principles--(1) focus on what works; (2) reduce bureaucracy and increase flexibility; (3) increase accountability for student performance; and (4) empower parents--are brought to bear on many of these programs. The purpose of this guide is to provide an overview of policy changes and emphases for state and district officials. The guide is organized into 10 sections corresponding to titles of the act: I, Improving the Academic Achievement of the Disadvantaged; II, Preparing, Training, and Recruiting High Quality Teachers and Principals; III, Language Instruction for Limited English Proficient and Immigrant Students; IV, 21st Century Schools; V, Promoting Informed Parental Choice and Innovative Programs; VI, Flexibility and Accountability; VII, Indian, Native Hawaiian, and Alaskan Native Education; VIII Impact Aid Program; IX, General Provision; and X, Repeals, Redesignations, and Amendments to Other Statutes. For each program, the guide discusses its purpose, what is new for that program under NCLB, key requirements, and, if appropriate, how the program achieves quality, how quality or performance is measured, and key activities for state education agencies. (WFA)

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A Desktop Reference

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No Child
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A Desktop Reference
2002

Prepared by
the Office of the Under Secretary

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September 2002

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THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

September 2002

Dear Colleague:

This year began on a wonderful note for America's 50 million school children. When President Bush signed the *No Child Left Behind Act* into law on January 8, 2002, our Nation embarked on a new era in how we educate our children and how the federal government supports elementary and secondary education.

This historic reform gives states and school districts unprecedented flexibility in how they spend their education dollars, in return for setting standards for student achievement and holding students and educators accountable for results. The *No Child Left Behind Act* also provides more options for parents so that their children can get the best possible education. It also invests in teaching practices that have been demonstrated to work. In short, it aims to foster an environment in which every child can learn and succeed.

It is my pleasure to provide you with this desktop reference to the *No Child Left Behind Act.* It offers a clear and straightforward program-by-program look at the major reforms made by the new law. I hope you will find it useful as you implement the law. A more complete view of the law and a more comprehensive look at the regulations and other guidance that applies to the law is available at www.nclb.gov.

I want to thank you for your efforts on behalf of our young people. I wish you success in implementing *No Child Left Behind,* for you and your colleagues are the stewards of our children's future.

Sincerely,

Rod Paige

Rod Paige

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No Child Left Behind: A Desktop Reference

Introduction

The No Child Left Behind Act of 2001 is a landmark in education reform designed to improve student achievement and change the culture of America's schools. This new law, which President George W. Bush described as "the cornerstone of my administration," represents a sweeping overhaul of federal efforts to support elementary and secondary education in the United States.

"These reforms express my deep belief in our public schools and their mission to build the mind and character of every child, from every background, in every part of America," President Bush said during his first week in office in January 2001.

The act, which passed with overwhelming bipartisan support, embodies four key principles-stronger accountability for results; greater flexibility for states, school districts and schools in the use of federal funds; more choices for parents of children from disadvantaged backgrounds; and an emphasis on teaching methods that have been demonstrated to work. The act also places an increased emphasis on reading, especially for young children, enhancing the quality of our nation's teachers, and ensuring that all children in America's schools learn English. In keeping with these principles, and as this guide describes, the No Child Left Behind (NCLB) Act affects virtually every program authorized under the Elementary and Secondary Education Act (ESEA)-ranging from Title I and efforts to improve teacher quality to initiatives for limited English proficient (LEP) students and safe and drug-free schools.

Federal policy has had a significant impact on America's schools and children ever since ESEA was enacted in 1965. Yet, despite hundreds of programs and hundreds of billions of dollars invested during the last generation, American students still lag behind many of their fellow foreign students and the academic achievement gap in this country between rich and poor, white and minority students, remains wide. Indeed, President Bush expressed concern that "too many of our neediest children are being left behind."

Since the *Nation at Risk* report was issued nearly 20 years ago, there has been a vigorous national debate over how to improve our nation's schools and our children's achievement. Out of these years of debate, a general consensus has emerged that schools and districts work best when they have greater control and flexibility, when scientifically proven teaching methods are employed, and when schools are held accountable for results. These are the guiding ideas behind the NCLB Act.

"For too long, many of our schools did a good job educating some of our children," U.S. Secretary of Education Rod Paige said when President Bush signed the act into law on January 8, 2002. "With this new law, we'll make sure we're providing all of our children with access to a high-quality education."

Accountability

The NCLB Act is designed to help all students meet high academic standards by requiring that states create annual assessments that measure what children know and can do in reading and math in grades 3 through 8. These tests, based on challenging state standards, will allow parents, educators, administrators, policymakers, and the general public to track the performance of every school in the nation. Data will be disaggregated for students by poverty levels, race, ethnicities, disabilities, and limited English proficiencies to ensure that no child—regardless of his or her background—is left behind. The federal government will provide assistance to help states design and administer these tests. States also must report on school safety on a school-by-school basis.

Annual school "report cards" will provide comparative information on the quality of schools. By doing so, they will empower parents to make more informed choices about their children's educations. These report cards will show not only how well students are doing on meeting standards but also the progress that disaggregated groups are making in closing achievement gaps.

Districts and schools that do not make sufficient yearly progress toward state proficiency goals for their students first will be targeted for assistance and then be subject to corrective action and ultimately restructuring. Schools that meet or exceed objectives will be eligible for "academic achievement awards."

A small sample of students in each state also will participate in the fourth- and eighth-grade National Assessment of Educational Progress in reading and math every other year to help the U.S. Department of Education track the results of statewide assessments required under Title I.

All states must submit plans to the secretary of education that include evidence that they have content and achievement standards and aligned assessments, school report card procedures, and statewide systems for holding schools and districts accountable for the achievement of their students.

Flexibility and Local Control

Another hallmark of the new law is that, in exchange for greater accountability for results, states and school districts will have unprecedented flexibility in how they can use federal education funds. The intent is to put greater decision-making powers at the local and state levels where educators are most in touch with students' needs.

The NLCB Act makes it possible for most districts to transfer up to 50 percent of the federal formula grant funds they receive under the Improving Teacher Quality State Grants, Educational Technology, Innovative Programs, and Safe and Drug-Free Schools programs to any one of these programs or to their Title I program without separate approval. One consequence will be to allow districts to use funds to address their particular needs, such as hiring new teachers, increasing teacher pay, and improving teacher training and professional development. Similarly, a result of the law's consolidation of bilingual education programs is to give states and districts greater control in planning programs to benefit all limited English proficient students.

The act also creates state and local flexibility demonstration programs that allow selected states and school districts to consolidate funds received under a variety of federal education programs so that they can be used for any educational purpose authorized under the Elementary and Secondary Education Act, as amended by the NCLB Act in order to assist them in making adequate yearly progress and narrowing achievement gaps. In addition, the new Improving Teacher Quality State Grants program gives states and districts greater flexibility to choose the teacher professional development strategies that best meet their needs to help raise student achievement.

Enhanced Parental Choice

Parents of children who are in low-performing schools are given a new range of options under the NCLB Act. For one, parents with children in schools that fail to meet state standards for at least two consecutive years may transfer their children to a better-performing public school, including a public charter school, within their district. If they do so, the district must provide transportation, using Title I funds if necessary. Students from low-income families in schools that fail to meet state standards for at least three years are eligible to receive

supplemental educational services-including tutoring, after-school services, and summer school. In addition, the NCLB Act provides increased support to parents, educators, and communities to create new charter schools. The act also provides students the choice to attend a safe school within their district if they attend persistently dangerous schools or are the victim of a violent crime while in their school.

These options are closely linked to the accountability provisions that give parents information on which schools in their communities are succeeding and which are not. In turn, the choice and supplemental educational services requirements of the law not only help to enhance student achievement but also provide an incentive for low-performing schools to improve. Schools that want to avoid losing students, not to mention restructuring, will have to do a better job.

Focuses on What Works

The NCLB Act puts a special emphasis on determining what educational programs and practices have been clearly demonstrated to be effective through rigorous scientific research. Federal funding will be targeted to support these programs and teaching methods that improve student learning and achievement.

Reading programs are a prime example. The NCLB Act will support scientifically based reading instruction programs in the early grades under the new Reading First program and in preschool under the new Early Reading First program. Funds will be available to help teachers strengthen old skills and gain new ones in effective reading instructional techniques. Funds will be directed to after-school and other programs that have been scientifically demonstrated to prevent drug use and violence among youths.

This reference guide outlines what is new under the No Child Left Behind Act of 2001 for each of the educational programs supported under the Elementary and Secondary Act of 1965 and other statutes. It also describes how the NLCB Act's four guiding principles are brought to bear on many of these programs. The intent is to provide a relatively substantive overview of policy changes and emphases for state and district officials. It is not intended to provide either budgetary guidance or practical assistance for teachers or parents. Programs for which no funding was requested in fiscal years 2002 and 2003 are not included.

Throughout this document "school district" or "district" is used interchangeably with "local educational agency." For a complete definition of "local educational agency" as used in the law, please see Section 9101(26) of the Elementary and Secondary Education Act, as amended by the NCLB Act.

Title I, Part A

Improving Basic Programs Operated by Local Educational Agencies

Purpose

Title I, Part A, is intended to help ensure that all children have the opportunity to obtain a high-quality education and reach proficiency on challenging state academic standards and assessments. Less than one-third (29 percent) of all fourth-grade students performed at or above the proficient level on the National Assessment of Educational Progress (NAEP) in reading in 2000. The percentage of students reaching proficiency was even lower for low-income students (13 percent), African Americans (10 percent), Hispanics (13 percent), students with disabilities (8 percent), and students with limited English proficiency (3 percent).

As the largest federal program supporting elementary and secondary education (funded at $10.4 billion in FY 2002), Title I targets these resources to the districts and schools where the needs are greatest. Schools with poverty rates of 50 percent or higher received 73 percent of Title I funds in the 1997-98 school year, and nearly all (96 percent) of the highest-poverty schools (those with 75 percent or more low-income students) received Title I funds.

Title I provides flexible funding that may be used to provide additional instructional staff, professional development, extended-time programs, and other strategies for raising student achievement in high-poverty schools. The program focuses on promoting schoolwide reform in high-poverty schools and ensuring students' access to scientifically based instructional strategies and challenging academic content. Title I provisions provide a mechanism for holding states, school districts, and schools accountable for improving the academic achievement of all students and turning around low-performing schools, while providing alternatives to students in such schools to enable those students to receive a high-quality education.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Requires that Title I funds be used only for effective educational practices.** Title I schoolwide and targeted assistance programs are required to use effective methods and instructional strategies that are grounded in scientifically based research. School improvement plans, professional development, and technical assistance that districts provide to low-performing schools must be based on strategies that have a proven record of effectiveness.
- **Requires states to develop plans with annual measurable objectives that will ensure that all teachers teaching in core academic subjects are highly qualified** by the end of the 2005-06 school year.

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WHAT'S NEW – The No Child Left Behind Act (cont.)

Focuses on What Works (cont.)

- **Requires local school districts to ensure that all Title I teachers in core academic subjects hired after the first day of the 2002-03 school year are "highly qualified."** For new teachers, this means being certified by the state (including alternative routes to state certification), holding at least a bachelor's degree, and demonstrating subject area competency.
- **Strengthens corrective action** (required after two years of school improvement) to include actions more likely to bring about meaningful change at the school, such as replacing school staff responsible for the continued failure to make adequate yearly progress, implementing a new curriculum, and reorganizing the school internally.
- **Mandates the fundamental restructuring of any school that fails to improve over an extended period of time,** including reopening the school as a charter school or turning over school operations either to the state or to a private company with a demonstrated record of effectiveness.
- **Strengthens paraprofessional requirements** to include two years of postsecondary education or, for an applicant with a high school diploma, the demonstration of necessary skills on a formal state or local academic assessment. All new hires must meet these requirements, and existing paraprofessionals have four years to comply with them.
- **Emphasizes that paraprofessionals may not provide instructional support services** except under the direct supervision of a teacher.

Reduces Bureaucracy and Increases Flexibility

- **Expands eligibility for schoolwide programs.** The poverty threshold for schoolwide programs, which enable schools to use Title I funds to raise the achievement of at-risk students by improving the quality of instruction throughout the school, has been lowered from 50 percent to 40 percent.

Increases Accountability for Student Performance

- **Requires annual assessments in grades 3-8** that include all students.
- **Requires state and local report cards** on student academic achievement.
- **Requires states to implement a single statewide accountability system.**
- **Tightens provisions concerning adequate yearly progress** by requiring states to specify annual measurable objectives to measure student progress to ensure that all groups of students-disaggregated by poverty, race and ethnicity, disability, and limited English proficiency data-reach proficiency in reading and math within 12 years.
- **Substantially increases funding for state and local support for school improvement** (from one-half percent of Title I funds under the 1994 Elementary and Secondary Education Act reauthorization to 2 percent under the No Child Left Behind Act, rising to 4 percent in 2004). Also establishes a separate $500 million authorization for Assistance for Local School Improvement grants.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Empowers Parents

- **Requires local school districts to offer public school choice** to students in schools identified for improvement, corrective action, or restructuring so that no student is trapped in a failing school. School districts must provide transportation for eligible students, subject to the 20 percent rule described below.
- **Requires school districts to permit low-income students attending chronically failing schools to obtain supplemental educational services** from a public- or private-sector provider that has been approved by the state. Faith-based organizations are eligible to apply for approval to provide supplemental educational services.
- **Requires school districts to spend an amount equal to 20 percent of their Part A funds for transportation of students who exercise a choice option or for supplemental educational services,** unless a lesser amount is needed to meet all requests. These funds do not have to be taken from Title I allocations, but may be provided from other allowable federal, state, local or private sources.
- **Notifies parents of school choice and supplemental educational services options.** Requires districts to "promptly" notify parents of eligible students attending schools identified for improvement, corrective action, or restructuring of their option to transfer their child to a better public school or to obtain supplemental educational services.
- **Establishes Parents' "Right to Know" provision.** Requires local school districts to annually notify parents of their right to request information on the professional qualifications of their children's teachers.

How It Works

Title I, Part A, provides formula grants to school districts, which then allocate most of these funds to individual Title I schools based on their number of poor children.

Schools may use Title I funds for one of two approaches:

- **Schoolwide programs.** High-poverty schools (those with 40 percent or more students from low-income families) are eligible to adopt schoolwide programs to raise the achievement of low-achieving students by improving instruction throughout the entire school, thus using Title I funds to serve all children.
- **Targeted assistance programs.** Schools that are not eligible for (or do not choose to operate) schoolwide programs must use Title I funds to provide targeted services to low-achieving students.

Title I funds may be used for a variety of services and activities, most commonly for instruction in reading and mathematics. The legislation encourages the use of strategies such as extended day (before- and after-school programs), extended year, and summer programs to increase learning time. Although districts and schools may use Title I funds to serve children from preschool age through high school, most focus these funds on students in the early grades; three-quarters (77 percent) of Title I participants are in preschool through grade 6.

Key Requirements

The No Child Left Behind Act strengthens Title I requirements for state assessments, accountability systems, and support for school improvement. The law also establishes minimum qualifications for teachers and paraprofessionals in Title I programs.

Assessments

By the 2005-06 school year, states must develop and implement annual assessments in reading and mathematics in grades 3 through 8 and at least once in grades 10-12. By 2007-08, states also must administer annual science assessments at least once in grades 3-5, grades 6-9, and grades 10-12. These assessments must be aligned with state academic content and achievement standards and involve multiple measures, including measures of higher-order thinking and understanding.

- **Alignment with State Standards.** State assessments must be aligned with challenging academic content standards and challenging academic achievement standards. States were required under the previous law to develop or adopt standards in mathematics and reading/language arts, and the new law requires the development of science standards by 2005 and 2006. Their standards must have the same expectations for all children and have at least three achievement levels.
- **Inclusion.** State assessments must provide for the participation of all students, including students with disabilities or limited English proficiency. Students who have been in schools in the United States for three consecutive years must be assessed in English in the area of reading and language arts.
- **Accommodations.** State assessments must provide for reasonable accommodations for students with disabilities or limited English proficiency, including, if practicable, native-language versions of the assessment.
- **Annual Assessment of English Proficiency.** Beginning with the 2002-03 school year, states must ensure that districts administer tests of English proficiency—that measure oral language, reading, and writing skills in English—to all limited English proficient students.
- **Reporting.** State assessment systems must produce results disaggregated by gender, major racial and ethnic groups, English proficiency, migrant status, disability, and status as economically advantaged. The assessment system must produce individual student interpretive, descriptive, and diagnostic reports. States must report itemized score analyses to districts and schools.

- **Prompt Dissemination of Results.** States must ensure that the results of state assessments administered in one school year are available to school districts before the beginning of the next school year. The assessment results must be provided in a manner that is clear and easy to understand and be used by school districts, schools and teachers to improve the educational achievement of individual students.
- **Participation in State NAEP.** States must participate in biennial National Assessment of

Educational Progress (NAEP) assessments in reading and mathematics for fourth- and eighth-graders, beginning in 2002-03. State-level NAEP data will enable policymakers to examine the relative rigor of state standards and assessments against a common metric.

Accountability

States must develop and implement a single, statewide accountability system that will be effective in ensuring that all districts and schools make adequate yearly progress, and hold accountable those that do not. Schools that do not make adequate yearly progress will be identified for increasingly rigorous sanctions designed to bring about meaningful change in instruction and performance. Further, students in low-performing schools will have the option to transfer to other public schools or to obtain supplemental educational services. Finally, the law mandates the fundamental restructuring of any school that fails to improve over an extended period of time.

- **Adequate Yearly Progress.** States must establish a definition of adequate yearly progress that each district and school is expected to meet. States must specify annual objectives to measure progress of schools and districts to ensure that all groups of students-including low-income students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency-reach proficiency within 12 years. States must set intermediate goals that provide for annual adequate yearly progress targets, with the first increase to occur no later than 2004-05. In order to make adequate yearly progress, schools must test at least 95 percent of their students in each of the above groups.
- **Identification of Schools and Districts in Need of Improvement.** States must annually review the progress of each school and school district receiving Title I funds to determine whether they are making adequate yearly progress, and then publicize and disseminate the results of the review. Title I schools and districts that fail to make adequate yearly progress for two consecutive years must be identified as in need of improvement.
- **Public School Choice.** Students in schools identified for improvement must be given the option to transfer to another public school that has not been identified for improvement, with transportation provided as described below.
- **Professional development.** Schools identified for improvement must spend at least 10 percent of their Title I Part A funds on professional development for the school's teachers and principal that directly addresses the academic achievement problem that caused the school to be identified for improvement.
- **Supplemental Educational Services.** If a school fails to make adequate yearly progress for a third year, students from low-income families in the school must be given the option to use Title I funds to obtain supplemental educational services from a public- or private-sector provider, including faith-based organizations, selected from a list of providers approved by the state.

  States must develop and apply objective criteria to potential providers that are based on a demonstrated record of effectiveness in increasing academic proficiency, and must monitor the quality and effectiveness of the services offered by approved providers. States must maintain a list of approved providers across the state, by school district, from which parents may select, and must promote maximum participation by supplemental educational services providers to ensure that parents have as many choices as possible.
- **Funds for Transportation and Supplemental Services.** School districts are required to spend an amount equal to 20 percent of their Title I, Part A, funds to pay for supplemental educational services for eligible students and for transportation of students exercising the public school choice option, unless a

lesser amount is needed to meet all requests. These funds do not have to be taken from Title I allocations, but may be provided from other allowable federal, state, local, or private sources, including federal funds under Section 1003, Title V, Part A; Title II, Part A; Title II, Part D; Title IV, Part A; and Title V, Part A (in some cases, these funds may only be used for this purpose under the transferability provision described below).

- **Corrective Action.** If a school fails to make adequate yearly progress for a fourth year, the school district must take corrective actions that are designed to bring about meaningful change at the school. These corrective actions must include at least one of the following: replacing school staff, implementing a new curriculum (with appropriate professional development), decreasing management authority at the school level, appointing an outside expert to advise the school, extending the school day or year or reorganizing the school internally.

  Similarly, if a school district fails to make adequate yearly progress for four years, the state must take corrective actions that must include at least one of the following: deferring programmatic funds or reducing administrative funds; implementing a new curriculum (with professional development); replacing personnel; establishing alternative governance arrangements; appointing a receiver or trustee to administer the district in place of the superintendent and school board; or abolishing or restructuring the school district. The state may also authorize students to transfer to higher-performing public schools operated by another school district (with transportation). States must provide information to parents and the public on any corrective action the state takes with school districts.
- **Restructuring.** If a school fails to make adequate yearly progress for a fifth year, the school district must initiate plans to fundamentally restructure the school. This restructuring may include reopening the school as a charter school, replacing all or most of the school staff who are relevant to the failure to make adequate progress, or turning over school operations either to the state or to a private company with a demonstrated record of effectiveness.
- **Technical Assistance.** States and school districts must provide technical assistance to schools identified for school improvement, corrective action, or restructuring. States are required to reserve portions of their Title I funding to benefit schools identified for school improvement, corrective action, and restructuring, and they must distribute 95 percent of these reserved funds to school districts. State assistance must include: establishing school support teams; designating and using distinguished teachers and principals who are chosen from schools that have been especially successful in improving academic achievement; and devising additional approaches to providing assistance, such as through institutions of higher education and educational service agencies or other local consortia, and private providers of scientifically based technical assistance.
- **State Report Cards.** States must produce and disseminate annual report cards that provide information on how students are achieving overall as well as information disaggregated by race, ethnicity, gender, English proficiency, migrant status, disability status, and low-income status. The report cards must include:
  - State assessment results by performance level, showing two-year trend data for each subject and grade tested, with a comparison between annual objectives and actual performance for each student group. The report cards also must show the percentage of each group of students not tested.
  - Graduation rates for secondary school students and any other student achievement indicators that the state chooses.
  - Performance of school districts on adequate yearly progress measures, including the number and names of schools identified as in need of improvement.

  - Professional qualifications of teachers in the state, including the percentage of teachers teaching with emergency or provisional credentials and the percentage of classes in the state that are not taught by highly qualified teachers, including a comparison between high- and low-poverty schools.

- **School District Report Cards.** School districts also must prepare and disseminate annual report cards that include information on student achievement for the district and for each school. As with the state report cards, achievement data must be disaggregated for the same student subgroups. The report cards also must provide information on the schools identified for improvement.
- **Annual State Report to the Secretary.** States must report annually to the secretary of Education on their progress in developing and implementing academic assessments; students' achievement on the assessments disaggregated by groups of students; and information about acquisition of English proficiency by children with limited English proficiency, the names of schools identified as in need of improvement, public school choice, supplemental service programs, and teacher quality.

Qualifications for Teachers and Paraprofessionals

The No Child Left Behind Act requires states to ensure that Title I schools provide instruction by highly qualified instructional staff.

- **Highly Qualified Teachers.** States must develop plans with annual measurable objectives that will ensure that all teachers of core academic subjects are highly qualified, which means that they have state certification (which may be alternative state certification), hold a bachelor's degree, and have demonstrated subject area competency. Core academic subjects include English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography. All new hires in Title I programs after the start of the 2002-03 school year must meet these requirements; all existing teachers must meet these requirements by the end of the 2005-06 school year. School districts must use at least 5 percent of their Title I funds for professional development to help teachers become highly qualified.
- **Higher Qualifications for Paraprofessionals.** Paraprofessionals in Title I programs must have at least two years of postsecondary education or, for an applicant with a high school diploma, demonstrate necessary skills on a formal state or local academic assessment. All new hires in Title I programs after January 8, 2002, must meet these requirements; existing paraprofessionals have four years from January 8, 2002, to comply with them. However, these requirements do not apply to paraprofessionals used for translation or parent involvement. All paraprofessionals in Title I programs must have a high school diploma or its equivalent.
- **Appropriate Roles for Paraprofessionals.** The law specifies that paraprofessionals may not provide instructional support services except under the direct supervision of a teacher.

How It Achieves Quality

Throughout the legislation, there is a strong emphasis on ensuring that Title I funds are used to support educational practices that are based on scientific research. More specifically:

- States must assist school districts in developing or identifying high-quality, effective curricula aligned with state academic achievement standards, and must disseminate such curricula to each district and school within the state.
- School districts are required to take into account the experience of model programs for the educationally disadvantaged and the findings of relevant scientifically based research as they develop their plans for services.

- Both schoolwide and targeted assistance programs are required to use effective instructional methods and strategies based on scientifically based research.
- Schools identified for improvement must develop two-year improvement plans that incorporate strategies based on scientifically based research. School districts must provide technical assistance to these schools, such as identifying and implementing professional development, instructional strategies, and methods of instruction that are grounded in scientifically based research and have been proven effective in addressing the specific instructional issues that caused the school to be identified.
- School districts identified for improvement must incorporate scientifically based research strategies in their improvement plans. State technical assistance to identified school districts must be based on scientifically based research.
- If a school district is identified for corrective action and a new curriculum is implemented, the state must provide professional development based on scientifically based research.
- School support teams, whose top priority is to provide assistance to schools subject to corrective action, are to be composed of persons who are knowledgeable about scientifically based research and practice on teaching and learning, as well as about successful schoolwide projects, school reform, and improving educational opportunities for low-achieving students.
- The law establishes new requirements to ensure that teachers of core academic subjects are highly qualified and requires annual measurable objectives toward these goals for each district and school. In addition, the law requires paraprofessionals to meet more rigorous training and skills requirements.

How Performance Is Measured

The No Child Left Behind Act requires states to put into place a series of measurable objectives about student performance that states, school districts, and schools are expected to meet, as well as a series of reporting mechanisms to measure progress. Performance is measured by the progress of schools and districts in making adequate yearly progress in applying the same high standards of academic achievement to all public elementary and secondary school students. Performance information will be publicly disseminated on an annual basis through a system of state and school district report cards. States also must report annually to the secretary of education on: their progress in implementing the requirements of the new law; student achievement on state assessments (disaggregated by groups of students); and information about schools in need of improvement (including the names of such schools), public school choice, supplemental educational services programs, and teacher quality.

Key Activities For The State Education Agencies

State education agencies (SEAs) must:

- Produce an annual report card.
- Develop and implement annual assessments in reading, language arts, and mathematics in grades 3-8 and at least once in grades 10-12, by 2005-06.
- Develop and implement standards in science by 2005-06 and assessments in science by 2007-08.
- Annually assess the English proficiency of students who are learning the English language.
- Ensure the prompt dissemination of state assessment results (before the beginning of the next school year).
- Participate in biennial state-level NAEP assessments of fourth- and eighth-grade reading and mathematics.
- Define and implement an adequate yearly progress definition for the state, school districts, and schools.

- Annually review the progress of each school district to determine whether schools receiving assistance are making adequate yearly progress and whether each district is carrying out its responsibilities; SEAs also must publicize the results of this review.
- Establish a statewide system of support for districts and schools in need of improvement.
- Establish a program for making academic achievement awards to schools that significantly close the achievement gap or exceed adequate yearly progress for two or more years.
- Publish and disseminate to parents and the public information on any corrective action taken by the state.
- Develop a list of approved providers of supplemental educational services and support, monitor, and disseminate information about these providers. SEAs must consider faith-based organizations as potential providers of supplemental educational services on the same basis as other eligible entities
- Ensure that students in schools previously identified for improvement under the IASA provisions are offered school choice and, if the school had been identified for two years or more, supplemental services, at the beginning of the 2002-03 school year.
- Ensure that schools provide instruction by highly qualified instructional staff.

Title I, Part B, Subpart 1

Reading First

Purpose

Reading has always been a key ingredient for students to be successful in school, yet the National Assessment of Educational Progress (NAEP) shows serious deficiencies in children's ability to read, particularly in high-poverty schools. Even in wealthier schools, more than a fifth of fourth-graders were unable to reach NAEP's basic level in 2000 and *about two-thirds of fourth-graders in high-poverty schools were unable to reach the basic level in that year's survey.* Reading First is designed to help states, school districts, and schools address this issue and to ensure that every child can read at grade level or above by the end of third grade through the implementation of instructional programs and materials, assessments, and professional development grounded in scientifically based reading research.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Uses scientific evidence to enhance children's reading skills.** Professional development, instructional programs, and materials used by a state education agency (SEA) or school district must focus on the five key areas that scientifically based reading research has identified as essential components of reading instruction-phonemic awareness, phonics, vocabulary, fluency, and reading comprehension.
- **Provides professional development for teachers.** Reading First will provide increased teacher professional development to ensure that all teachers have the skills they need to teach scientifically based instructional programs and to effectively screen, identify and overcome reading barriers facing their students. States will have significant funds to support professional development statewide, not just to school districts receiving Reading First subgrants.

Increases Accountability for Student Performance

- **Reports on improved student performance.** States must provide evidence annually on the extent to which the SEA and school districts have significantly increased the number of students reading at or above grade level.
- **Sanctions lack of improvement.** If an SEA is not making sufficient progress by the end of the third year, the secretary of education may withhold all or part of the additional funds or take other actions that the secretary considers appropriate.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Closes the Achievement Gap for Disadvantaged Students

- **Targets services to districts that are low-performing and high-poverty.** Eligible school districts are those in each state with the highest numbers or percentages of K-3 students reading below grade level, and include an empowerment or enterprise zone, have a significant number of schools identified for Title I improvement, or have the highest number or percentages of Title I children. States competitively award subgrants to districts, with priority given to districts that have at least 15 percent of students from families with incomes below poverty or at least 6,500 poor children.

How It Works

Reading First is a formula grant program to states based on the number of children between the ages of 5 to 17 who come from families below the poverty line. States submit an application to the U.S. Department of Education. Grants are awarded based on the recommendation of an expert review panel selected by the Department, the National Institute for Literacy, the National Institute for Child Health and Human Development, and the National Research Council of the National Academy of Sciences. SEAs receiving grant awards will then make competitive grants to eligible school districts. SEAs must make subgrants of sufficient size and scope to enable local districts to improve reading instruction. The amount of the award will be related to each local school district's share of the state's Title I, Part A, funds distributed during the preceding fiscal year, and to the number or percent of K-3 students in the district reading below grade level.

Key Requirements

In addition to developing a process by which to award competitive subgrants, SEAs must develop a plan for how they will assist districts in using scientifically based reading research to improve reading instruction and raise student achievement. States must provide technical assistance to school districts to help them identify instructional assessments, programs, and materials. States also must develop a statewide professional development strategy to improve instructional practices for reading while ensuring coordination among other literacy programs in the state. In addition, the state must develop strategies for evaluating Reading First.

How It Achieves Quality

Reading First will ensure quality by focusing on what works and providing the support needed by SEAs and districts to use the scientifically based reading research to improve reading instruction in kindergarten through third grade. SEAs receiving Reading First grants will support quality by providing professional development that ensures each K-3 teacher will have the skills necessary to teach scientifically based instructional programs and to use screening, diagnostic, and classroom-based assessments to measure where students are and to monitor their progress. School districts and schools will select instructional programs and materials that support the essential components of reading, leading to a comprehensive reading program. Finally, quality will be achieved as the SEAs and districts provide continuous monitoring and reporting to give feedback on how well schools, districts and the state as a whole are progressing toward meeting their goals of having all children reading on grade level by the end of third grade.

How Performance Is Measured

The goal of the program is for all children to read at or above grade level by the end of third grade. In order to determine if progress is being made toward the goal, each SEA is required to report annually on the progress of local school districts, including identifying districts that are significantly increasing the number of children who read at or above grade level. Beginning in fiscal year 2004, targeted assistance grants will be available on a competitive basis to SEAs that demonstrate an increase in student achievement related to the Reading First program. At the completion of the third year, SEAs must send a midpoint report to the secretary describing their progress toward meeting the goal. There are consequences for not making sufficient progress. The expert panel convened to review state applications will review these progress reports. SEAs that are not making significant progress may lose all or part of the remaining funds or be subject to other actions deemed appropriate by the secretary.

Key Activities For The State Education Agencies

State education agencies must:

- Identify eligible school districts and develop a process by which to award subgrants to them. The process must clearly describe the selection criteria.
- Develop and implement a statewide program of professional development for teachers, including special education teachers, for kindergarten through grade 3 that will prepare them to teach all of the essential components of reading instruction.
- Provide technical assistance to local districts in selecting and implementing instructional programs and materials based on scientifically based reading research, selecting screening, diagnostic, and classroom based assessment instruments and identifying eligible professional development providers.
- Submit annual reports to the secretary on the implementation of the program and student achievement outcomes.
- Submit a midpoint report that identifies districts that are making progress to increase the number and percentage of students reading at or above grade level, as well as the statewide progress toward this goal. This interim report is due 60 days after the end of the third year.
- Establish a Reading Leadership Team that will assist in the oversight of the SEA's Reading First program.

In addition to the specific state requirements, the local school districts have a number of requirements that the SEA is responsible for monitoring.

THE UNITED STATES

Title I, Part B, Subpart 2

Early Reading First

Purpose

The Early Reading First Program will prepare young children to enter kindergarten with the language, cognitive, and early reading skills necessary for reading success. The goal of the program is to prevent reading failure by providing a high-quality early education to young children, especially children from low-income families.

It is vital that early education programs attend to all the developmental domains of early childhood. Those domains (social, emotional, cognitive, linguistic, and physical) are closely related, and growth in language and cognition optimally will occur in the context of the other areas of development. Early care and education programs have long done a good job in addressing the social, emotional and health needs of children and families. However, the language and cognitive domain's often have not been strongly or systematically addressed. For example, according to a study by the National Center for Education Statistics, 56 percent of beginning kindergartners at risk of school failure (because of factors such as low family income and low parent education) cannot identify more than two or three letters of the alphabet by name, 61 percent cannot identify the beginning sound of a word, and 83 percent cannot identify the ending sound of a word.

New research illustrates the importance of the intellectual competencies of young children and suggests specific ways to support learning through the use of strategies such as explicit and scaffolded instruction (in which adults build upon what children already know to help them accomplish a complex task by providing support where needed). An extensive body of evidence is now available stressing the importance of early reading skills, including phonological awareness and vocabulary development. Early Reading First is designed to improve these skills.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Requires programs to use scientifically based research to teach children cognitive and language skills.** Programs must base their activities, services, and professional development on scientifically based reading research.
- **Emphasizes the cognitive and language domains.** While early childhood programs serve an important function in children's social, emotional, and physical development, research also shows the importance of the early cognitive and language development of young children. Many programs serving young children have not adequately addressed these areas in the past.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Increases Accountability for Student Performance

- **Evaluates the effectiveness of local programs through annual performance reports on their evaluation results.** Local grantees are required to describe how they will evaluate their success in enhancing children's early reading skills. Grantees must report to the U.S. Department of Education annually on their progress and the results of their evaluation.
- **Evaluates the effectiveness of the program through an independent national evaluation.**

How It Works

The new Early Reading First Program is a federally administered discretionary grant program. The U.S. Department of Education will make competitive awards for up to three years to local school districts eligible under statutory criteria for the Reading First program, other public or private organizations within those eligible districts, or collaborations between both. Eligible LEAs were identified by states, or if not by states, by the Department, and posted on the Department's Web site. These organizations will apply for awards on behalf of one or more preschool programs for the purpose of strengthening the literacy components of existing early childhood centers.

Key Requirements

Grantees must use Early Reading First funds to provide preschool-age children with high-quality oral language and literature-rich environments; provide professional development to staff that is based on scientific research to assist in developing children's language and cognitive skills; identify and provide activities and instructional materials that are grounded in scientifically based reading research; acquire, provide training for, and implement screening reading assessments or other appropriate measures to determine whether preschool-age children are developing the early language and cognitive skills they need for later reading success; and integrate these instructional materials, activities, tools, and measures into the grantee's preschool programs.

How It Achieves Quality

In order to prevent reading difficulties for children, Early Reading First programs must focus on skills most related to later reading success and instructional methods and activities that have been scientifically demonstrated to produce learning gains for children in these skills. These programs are required to support children's development of oral language (including vocabulary), phonological awareness (familiarity with individual sounds in words), print awareness, and letter knowledge.

Early Reading First programs must conduct the following activities that have been shown to be effective in developing the language, cognitive, and early reading skills of young children:

- provide high-quality oral language and literacy-rich classroom environments,
- provide professional development to staff that is based on research knowledge of early language and reading development,
- identify and provide activities and instructional materials based on research to develop children's language, cognitive, and early reading skills,

- use screening assessments or other appropriate measures to determine whether young children are developing the cognitive skills they need for later reading success, and
- integrate these materials, activities, tools, and measures into preschool programs.

How Performance Is Measured

Grantees are required to evaluate the success of their programs in preparing children for school and to report this information annually to the U.S. Department of Education. The law also requires an independent national evaluation of the program.

Key Activities For The State Education Agencies

State education agencies can:

- Make relevant state standards for reading and language arts available to applicants.

Title I, Part B, Subpart 3

William F. Goodling Even Start Family Literacy Program

Purpose

The Even Start Family Literacy Program provides low-income families with integrated literacy services for parents and their young children (birth through age 7). The purpose of the program is to break the cycle of poverty and illiteracy for low-income families. The basic premise behind Even Start's family literacy approach is that the four components of adult education, early childhood education, parenting education, and interactive literacy activities for parents and their children build on each other and that families need to receive all four services in order to bring lasting change and improve children's school success. Based on an analysis of the Census Bureau's Current Population Survey data from 1997, about 4,350,000 families were considered eligible for the program, as defined by age of children in a household and the educational attainment of the children's parents. Almost two million of these eligible families were living in poverty. Even Start serves about 30,000 families in any given year.

Early childhood education is important because young children who have good vocabularies and who are taught early reading skills before they start school are more likely to become good readers and achieve academic success throughout their school careers. In addition, parents play a critical role in the language and intellectual development of their children. Children who have parents who talk and play with them and who read to them have an important advantage. Parents who are competent readers are more likely to have good jobs and be able to help their children in school. Thus, Even Start provides educational services for the family, rather than for just parents or children.

WHAT'S NEW – THE NO CHILD LEFT BEHIND ACT

Even Start was reauthorized in December 2000 as part of the Consolidated Appropriations Act of 2001 (P.L. 106-554). *The No Child Left Behind Act* incorporated the following December 2000 changes.

Focuses on What Works

- **Requires local projects to use instructional programs based on scientifically based reading research and preventing reading difficulties.** Program elements now require the use of scientifically based reading research in instructional services and the inclusion of reading readiness activities for preschool children to ensure that children enter school ready to read.
- **Requires projects to offer instructional services during the summer months.** While year-round services are not new, projects can no longer fulfill this requirement with summer enrichment services only. This requirement should help to alleviate the summer fall-off phenomenon, the documented loss of reading skills that can take place when children do not practice during the summer months.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Focuses on What Works (cont.)

- **Strengthens staff qualification requirements.** By December 2004, a majority of the instructional staff must have obtained an associate's, bachelor's, or graduate degree in a field related to early childhood education, elementary or secondary school education, or adult education, as well as meet state qualifications to provide these educational services (if applicable). All new instructional staff hired since December 2000 must meet these qualifications when hired. In addition, by December 2004, the local project administrator must receive training in operating a family literacy program, and all paraprofessionals who provide support for academic instruction must have a high school diploma or the equivalent.
- **Requires local projects to build on existing, high-quality community resources.** An important part of the Even Start program is building on existing resources in communities for both support and instructional services. Before its reauthorization, the law simply required local projects to build on existing services to avoid duplication. The law now explicitly requires projects to build on existing services only if they are of high quality.

Increases Accountability for Student Performance

- **Strengthens the accountability of local projects.** States were required to develop, by June 30, 2001, indicators of program quality to use in monitoring, evaluating, and improving Even Start programs.

Other New Requirements

- Requires local projects to provide equitable services to private school school-aged children.
- Requires local projects (school districts) to meet the maintenance of effort requirement.

How It Works

Even Start is primarily a state-administered discretionary grant program in which states hold competitions to fund integrated family literacy services. The U.S. Department of Education allocates Even Start funding to states by formula. States award subgrants to partnerships of local school districts and other organizations.

Key Requirements

States are required to establish review panels that will approve applications (to the extent of available funding) that meet the following requirements: are most likely to be successful in implementing the program purpose and all of the program elements; demonstrate that the area to be served by the program has a high percentage or a large number of families who are in need of family literacy services; provide services for at least a three-year age range of children; demonstrate the greatest possible coordination between all service providers; include cost-effective budgets that demonstrate the ability to provide the required local match; are representative of urban and rural regions of the state; and show the greatest promise for providing models that may be adopted by others.

Local Even Start projects must provide four high-quality, intensive core educational components (early childhood, adult education, parenting education, and parent-child activities) taught by qualified staff, as well as support services, year-round. In addition to center-based programs, projects also must provide some educational services to families in their homes. Projects must base instructional services on scientifically based reading research. Projects have to collaborate with other agencies to build on educational and support services that already exist in their communities and provide an increasing local funding match. Projects must identify, recruit, and serve those families most in need of services, as well as screen and prepare these families for participation in the program. Projects also have to provide training to their staff, provide for an independent local evaluation, promote the continuity of family literacy services for families, and encourage the active participation and retention of participating families.

How It Achieves Quality

Even Start programs will achieve quality through new requirements to use scientifically based research evidence to design program activities, especially reading-readiness activities for preschool children. The new state indicators of program quality will allow states to make informed decisions about continuation funding for subgrantees based on whether or not they are showing sufficient progress.

How Performance Is Measured

At the state level, performance is measured through the new required indicators of program quality. These indicators must be used by states to monitor, evaluate, and improve local projects within the state. The law requires the following specific indicators for adult participants covering both the literacy and economic self-sufficiency purposes of the program (although states may develop additional indicators if they choose):

- Achievement in the areas of reading, writing, English language acquisition, problem-solving, and numeracy;
- Receipt of a high school diploma or a general equivalency diploma;
- Entry into a postsecondary school, job-training program, or employment or career advancement, including the military.

The law requires the following specific indicators for child participants:

- Improvement in ability to read on grade level or reading readiness;
- School attendance;
- Grade retention and promotion.

In addition, the law requires an independent national evaluation to document the performance and effectiveness of Even Start projects. Local projects are also required to conduct an independent local evaluation and use the evaluation for program improvement.

Key Activities For The State Education Agencies

State education agencies (SEAs) must:

- Establish a review panel to approve subgrant applications.
- Use state indicators of program quality to monitor, evaluate, and decide whether to continue local projects.
- Cooperate with the national evaluation of local programs.

In addition, SEAs can:

- Develop and implement guidelines for the new requirement to use scientifically based reading research in instructional programming.
- Monitor qualifications of program staff.
- Provide guidance on state indicators of program quality.

Title I, Part B, Subpart 4

Improving Literacy through School Libraries

Purpose

This new program is designed to improve the literacy skills and academic achievement of students by providing them with access to up-to-date school library materials; technologically advanced school library media centers; and professionally certified school library media specialists.

School libraries are critical to meet schools' instructional goals and objectives. They promote literacy by developing and encouraging reading. Based on the most recent *Schools and Staffing Survey* findings (school year 1993-94) about half (52 percent) of schools with library media centers did not have a full-time state-certified librarian and about one-third of students were in such schools. Twenty percent of schools with library media centers did not have a librarian at all. About 35 percent of teachers believed that library or media materials were not adequate to support their instructional objectives.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Requires use of programs and materials grounded in scientifically based research.** Local school districts are required to use research-based programs and materials.

Increases Accountability for Student Performance

- **Requires school districts to submit annual reports to the secretary of education.** School districts must report annually on how program funds were used and the extent to which the funds increased access to, and the use of, school library media resources.

How It Works

The new Improving Literacy through School Libraries program is a competitive one-year grant program for districts in which at least 20 percent of the students are from families with incomes below the poverty line. In years in which the appropriation exceeds $100 million, the program operates as a state formula program. Then, districts are eligible if 15 percent of their students are from families with incomes below the poverty line; or the percentage of these students is greater than the statewide percentage of children from such families. Districts receiving program funds may use them for such things as purchasing up-to-date school library media resources, including books and advanced technology, providing professional development for school library media specialists, and providing students with access to school libraries during nonschool hours, weekends, and vacations.

Key Requirements

If the appropriation exceeds $100 million, states will assist districts in meeting program requirements and in using scientifically based research to implement effective school library media programs. States also will evaluate the quality and impact of district activities, and determine the need for technical assistance and whether or not to continue funding districts.

How It Achieves Quality

As districts plan their library improvement efforts, they are required to use programs and materials that are grounded in scientifically based research. They are also required to conduct a needs assessment to clearly identify the areas in which their school library media centers require improvement.

How Performance Is Measured

Districts submit to the secretary annual reports that describe program activities and the extent to which their school library media resources were made more available and used more. In years in which the program is state-administered, states compile district reports and submit them to the secretary. In addition, a national evaluation is to be conducted on program effectiveness within three years after passage of the No Child Left Behind Act, and biennially thereafter.

Key Activities For The State Education Agencies

State education agencies (SEAs) must:

- Submit a plan, application, and reports to the U.S. Department of Education and administer the formula grant portion of the program if funded at $100 million or higher.
- Cooperate with the competitive grant program recipients in the state when the appropriation is less than $100 million.

Title I, Part C

Education of Migratory Children

Purpose

This program's goal is to support high-quality and comprehensive educational programs for migrant children to help reduce the educational disruptions and other problems that result from repeated moves. In addition, the program attempts to ensure that migrant children who move between states are not put at a disadvantage because of disparities in curriculum, graduation requirements, and content and student academic achievement standards. In school year 1997-98, the program served 621,000 migrant students. This represents about 1.4 percent of all students.

Migrant students have many risk factors in common with other disadvantaged students (e.g., poverty, poor health, learning disabilities), but they also face additional challenges unique to their situations (e.g., disruption of education, poor record-keeping between schools, cultural and language difficulties, and social isolation). Because migrant students usually account for only a small percentage of the total student population, many schools and districts find it difficult to dedicate the level of resources that may be necessary to ensure the best educational experience possible for their migrant students.

WHAT'S NEW – The No Child Left Behind Act

Reduces Bureaucracy and Increases Flexibility

- **Establishes a national information system to electronically transfer health and educational information for all children served by the Migrant Education Program (MEP).** The U.S. Department of Education will be responsible for developing a national information system and determining the minimum data elements that each state receiving funds should collect and maintain. The national information system will facilitate school access to this information.
- **Requires state education agencies (SEAs) and local school districts receiving MEP funds to provide records on migrant students to other SEAs and districts at no cost.** This requirement will reduce the burden on SEAs and districts receiving migrant students.

Increases Accountability for Student Performance

- **Holds migrant children to the same challenging state content and student performance standards as all children.** Under Title I, Part A, state assessment systems must be able to disaggregate the performance results for migrant students. Districts and schools must provide achievement information and school report cards to the parents of migrant students.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Empowers Parents

- Requires school districts and schools to provide school report cards to the parents of migrant students in a format and, to the extent practicable, in a language that they can understand. All the requirements for Title I assessment, accountability and flexibility must be explained to migrant parents so that they can make informed decisions about their children's education.

How It Works

The Migrant Education Program provides SEAs with funding through a state formula grant based on each state's per-pupil expenditure and counts of migrant children between 3 and 21 years old. The statute defines a "migratory child" as a child under 22 years of age who is a migrant agricultural worker or fisher, or who has a parent, spouse, or guardian who is a migrant agricultural worker, and who has moved across school district boundaries within the previous 36 months in order to obtain temporary or seasonal employment in agricultural or fishing work.

Key Requirements

Migrant education programs are required to:

- Ensure that the special educational needs of migrant children are identified and addressed;
- Provide migrant students with the opportunity to meet the same challenging state academic content standards that all children are expected to meet;
- Promote interstate and intrastate coordination of services for migrant children, including providing for educational continuity through the timely transfer of pertinent school records; and
- Encourage family literacy services for migrant students and their families.

SEAs must assure that there is consultation with parent advisory councils for programs of one school year in duration and all programs and projects are carried out in a manner that provides for the same parental involvement as Title I, Part A. Title I Part A requires that each school district must develop and distribute to parents a written parent involvement policy that establishes the agency's expectations for parent involvement. Schools must convene an annual meeting, at a convenient time, to which all parents of participating children must be invited and encouraged to attend, to provide parents with timely information about programs, a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet. Also, each school must develop with parents for all children served under this part a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will develop a partnership to help children achieve the state's high standards. To the extent practicable, materials must be in a format and language understandable to the parents. SEAs also must assure that there is adequate provision for addressing the unmet needs of preschool migrant children.

To the extent feasible, all MEP programs and projects also are required to provide for advocacy and outreach for migratory children and their families on such topics as education, health, nutrition, and social services.

They must also provide professional development programs for teachers and other program personnel; family literacy programs; the integration of information technology into MEP activities; and programs to facilitate the transition of secondary school students to postsecondary education or employment.

How Performance is Measured

The effectiveness of programs and projects will be determined, where feasible, using the same approaches and standards used to assess the performance of students, schools, and districts under Title I, Part A. In Title I, Part A, performance is measured by how well schools and districts are making adequate yearly progress in applying the same high standards of academic achievement to all public elementary and secondary school students. Performance information will be publicly disseminated on an annual basis through a system of state and school district report cards. States also must report annually to the secretary of education on: their progress in implementing the requirements of the new law; student achievement on state assessments (disaggregated by groups of students including migrants); and information about schools in need of improvement, public school choice, supplemental educational services, and teacher quality.

Title I, Part D

Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At-Risk

Purpose

The Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent or At-Risk provide financial assistance to educational programs for youths in state-operated institutions or community day programs. The program also provides financial assistance to support school districts' programs involving collaboration with locally operated correctional facilities. The expanding juvenile correctional system and the educational deficits of most correctional education students pose challenges to the delivery of educational services to neglected and delinquent youths. In 1998-99, state agency programs served 170,000 neglected and delinquent students, while local agency programs served an additional 92,000 students in local correctional facilities. Participants in state institutions in 1998 were overwhelmingly male (89 percent), a little more than half (51 percent) were African American, and 53 percent were between the ages of 14 and 17.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Improves transition services.** State education agencies (SEAs) are to designate an individual in each correctional facility or institution for neglected or delinquent children and youths to concentrate on providing participants with the knowledge and skills needed to make a successful transition to secondary school completion, vocational or technical training, further education, or employment. Poor educational follow-up is the most frequently reported challenge in meeting these students' needs. In the past, few state agencies used program funds to provide transition services. The new legislation encourages state agencies to support the transition of children and youths from state-operated institutions to schools served by local school districts, and to successfully help youth offenders with a secondary school diploma enter postsecondary education or vocational and technical training programs.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Focuses on What Works (cont.)

- **Provides technical assistance to SEAs.** Federally supported technical assistance providers will help with capacity-building of state agency programs. In 1999, state agencies reported that the greatest need for technical assistance among institutional staff included program evaluation, setting up evaluation procedures, analyzing program evaluation results, designing a needs assessment, and testing issues. Although most state agencies required institutions to evaluate their program annually, only three-fourths of state agencies required institutions to include participant achievement information in their evaluations. State agencies that lack the capacity to address these issues will be able to receive the technical assistance they need to improve their educational programs for children and youths who are neglected or delinquent.

Increases Accountability for Student Performance

- **Develops a uniform evaluation model.** Improves the effectiveness of programs administered by SEAs by developing a uniform evaluation model to assess the educational achievement and outcomes of neglected or delinquent children and youths. A uniform model will enable all state agencies to use a common set of evaluation methods and procedures to assess program implementation, student achievement, and the successful transition of these students into educational institutions or employment.

Closes the Achievement Gap for Disadvantaged Students

- **Makes students returning from correctional facilities a priority.** The school district program will focus primarily on the transition and academic needs of students returning from corrections facilities. Often, there is a disconnect between the programs of local schools and correctional facilities, which results in low student achievement. As students make the transition from correctional facilities back to their local schools, they will receive the follow-up services they need to continue their education and to meet the same challenging state standards required of all students.
- **Coordinates achievement activities.** State education agencies are to encourage correctional facilities to coordinate with school districts or alternative education programs so that student assessments and academic records are shared jointly and used to guide the planning and operation of the Title I neglected or delinquent program at the institution level. Very few state agencies have as their objective for Title I-funded services to assist neglected or delinquent students to meet the same statewide achievement standards established for all public school students. Improved coordination between school districts and correctional facilities will help develop continuity between the educational services provided to these students.

How It Works

Under SEA programs, states receive formula funds based on the number of children in state-operated institutions and per-pupil educational expenditures. Each state's allocation is generated by child counts in state juvenile institutions that provide at least 20 hours of instruction from nonfederal funds and adult correctional institutions that provide 15 hours of instruction a week. The SEA then makes subgrants to state agencies based on their proportional share of the state's adjusted enrollment count of neglected or delinquent children and youths.

Under local agency programs, the SEA awards subgrants to districts with high numbers or percentages of children and youth in locally operated juvenile correctional facilities, including facilities involved in community day programs.

Key Requirements

State agencies and districts that conduct a program under Title I for neglected or delinquent children and youths are required to:

- Meet the educational needs of neglected, delinquent, and at-risk children and youths, and assist in the transition of these students from correctional facilities to locally operated programs.
- Ensure that these students have the same opportunities to achieve as if they were in local schools in the state.
- Evaluate the program and disaggregate data on participation by gender, race, ethnicity, and age, not less than once every three years.

How Quality Is Measured

The required state agency and school district evaluations will determine the program's impact on the ability of these students to:

- Maintain and improve educational achievement.
- Accrue school credits that meet state requirements for grade promotion and secondary school graduation.
- Make the transition to a regular program or other education program operated by a school district.
- Complete secondary school and obtain employment after leaving the correctional facility or institution for neglected or delinquent children and youths.
- Participate in postsecondary education and job-training programs.

SEAs may reduce or terminate funding for projects if the agency does not show progress in reducing student dropout rates.

Key Activities For State Education Agencies

- SEAs may require correctional facilities or institutions for neglected or delinquent children and youth to demonstrate that there has been an increase in the number of children and youths returning to school, obtaining a secondary school diploma or its recognized equivalent, or obtaining employment after the children and youths are released.

Title I, Part E, Sections 1501-1503

National Assessment of Title I, Title I Evaluation and Demonstration

Purpose

The No Child Left Behind Act includes requirements for a National Assessment of Title I (NATI) to evaluate the implementation and impact of Title I programs and provisions. An Independent Review Panel established by the secretary will advise on the design and conduct of the National Assessment of Title I and a longitudinal evaluation of student achievement. In addition, the law authorizes the Department to conduct other evaluations of Title I programs and demonstrations.

How It Works

The National Assessment of Title I is a coordinated set of evaluation studies that collect information on the implementation and impact of Title I. The law directs the NATI to examine a number of specific issues, including the impact of Title I programs on student achievement, state standards and assessments, accountability and school improvement provisions, school choice and supplemental services, professional development and teacher quality, comprehensive school reform and improvement strategies, and the targeting of Title I funds. An interim NATI report is due in January 2005, with a final report due in January 2007.

The law includes a specific requirement for a National Longitudinal Study of Title I's impact on student achievement. This study is to be conducted in a nationally representative sample of Title I schools to examine the effectiveness of programs and services supported by Title I in improving student achievement. The law also continues a longstanding mandate for an Independent Review Panel composed of researchers and practitioners appointed by the secretary to advise the U.S. Department of Education on the design and conduct of the National Assessment and its individual evaluation studies.

How It Achieves Quality

The Independent Review Panel is to ensure that the Title I evaluations "adhere to the highest possible standards of quality with respect to research design, statistical analysis, and the dissemination of findings, and use valid and reliable measures to document program implementation and impacts." In addition, the No Child Left Behind Act contains a new requirement for the panel to ensure that the National Assessment final report is reviewed by two or more "independent experts in program evaluation."

Title I, Part E, Section 1504

Close Up Fellowship

Purpose

The Close Up Fellowship program pays for economically disadvantaged, middle and secondary school teachers and students whose family has moved to the United States within the last five year to spend one week in Washington, D.C. attending seminars on government and current events and meeting with leaders from the three branches of the federal government. The program also supports professional development related to civic education for teachers of participating students.

How It Works

The Close Up Fellowship program provides a noncompetitive grant to the Close Up Foundation, based in Washington, D.C. Funding is available in three areas: (1) fellowships for economically disadvantaged middle and secondary school students, with special consideration given to students with disabilities, ethnic minority students, and students with migrant parents; (2) the foundation's professional development programs for middle and secondary school teachers and its programs to increase civic responsibility and understanding among the teachers' students; and (3) fellowships for the New Americans Program, which serves economically disadvantaged students whose families have immigrated to the United States within the past five years.

Key Requirements

The Close Up Foundation is required to evaluate the extent to which the program provides students with an increased understanding of the federal government; heightens their sense of civic responsibility; and enhances the skills of teachers in teaching about civic responsibility, the federal government, and responsible citizenship. In addition, new targeting provisions have been added to ensure the participation of students from rural areas, small towns, and urban areas, as well as students with migrant parents.

How Performance Is Measured

The Close Up Foundation is required to develop procedures for measuring program effectiveness.

Title I, Part F

Comprehensive School Reform

Purpose

Comprehensive school reform developed out of the literature on effective schools. While the effective schools research does not prescribe any particular reform effort, it does describe certain components of school reform that appear to lead to improved student academic achievement. These components form the empirical foundation for the comprehensive school reform movement.

The Comprehensive School Reform (CSR) program also builds on the Title I schoolwide program, which provides greater flexibility in the use of federal funds and encourages the implementation of effective strategies for all students in a school. The CSR program provides start-up financial assistance to schools so that they can implement whole school reforms that reflect the research literature on effective practices in order to help students meet state academic standards. Throughout the 1990s, thousands of schools across the nation have adopted various CSR models.

The CSR statute identifies 11 components of comprehensive school reform:

- **Research-based methods.** Proven strategies and methods for student learning, teaching, and school management that are founded on scientifically based research and effective practices and that have been replicated successfully in schools.
- **Comprehensive design.** Schoolwide reform plans that include instruction, assessment, classroom management, professional development, parental involvement, and school management in a comprehensive approach to addressing the specific needs of the school and enabling all students to meet challenging state standards.
- **Focus on student achievement.** Measurable goals for student academic achievement and benchmarks for meeting these goals.
- **Buy-in.** Support from teachers, principals, administrators, school staff, and other professional staff.
- **Professional development.** High-quality and continuous teacher and staff professional development.
- **Support for school staff.** Support for teachers, principals, administrators, and other school staff.
- **Partnerships with parents and communities.** Meaningful involvement of parents and the local community in planning, implementing, and evaluating school improvement activities.
- **External support.** High-quality external technical support and assistance from an entity that has experience and expertise in schoolwide reform and improvement.
- **Evaluation planning.** A plan for the annual evaluation of the implementation of school reforms and the student results achieved.
- **Combining resources.** Identification and coordination of other resources, including federal, state, local, and private resources to support and sustain the comprehensive school reform effort.
- **Evidence of effectiveness.** Programs that have been found through scientifically based research to significantly improve the academic achievement of participating children or have strong evidence that they will achieve this result.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- Grantees must rely on scientifically proven strategies. Each grantee's CSR plan must include scientifically proven teaching and learning strategies.

Increases Accountability For Student Performance

- **State education agencies (SEAs) are now required to submit annual evaluation reports to the U.S. Department of Education to measure performance.** This report must include the names of school districts and schools receiving grants, the amount of the grants, a description of the reforms implemented, an assessment of the implementation progress, and student achievement results.
- **Priority is given to low-performing schools.** Previously, SEAs were encouraged to give priority to low-performing schools. Now, states are required to target funding to students and schools with the greatest educational needs.

How It Works

The CSR program is a state formula grant program, based on each states' Title I allocation. States competitively award grants to school districts on behalf of specific schools and must give priority to schools that have been identified for Title I school improvement and document a commitment to assist schools for two additional years in implementing and sustaining comprehensive reforms. Schools receive grants of at least $50,000 to implement CSR reform plans.

Key Requirements

School reform programs supported by CSR must be grounded in scientifically based research, meet the 11 components of CSR specified in the authorizing statute, and be supported by effective technical assistance providers.

How It Achieves Quality

The primary goal of the CSR program is to help schools implement scientifically proven reform strategies to help all children meet state standards

How Performance Is Measured

States are encouraged to document that increasing numbers of students in CSR schools are meeting state academic standards. In addition, states should see a decline in the number of CSR schools identified as low-performing.

Title I, Part G

Advanced Placement

Purpose

The Advanced Placement (AP) programs are designed to increase the number of low-income students participating in AP classes and taking AP tests by helping to pay test fees for low-income students in AP classes and expanding access to AP classes through increased teacher training and other activities.

Increasing AP course participation and test completion have become important goals, as one way to improve the rigor of high school curricula and students' readiness for college. AP courses challenge students to master college-level work while in high school. The tests, which are designed, administered, and scored by educational entities such as the College Board and the International Baccalaureate Organization, provide objective measures of skill that colleges value, often awarding students college credit for passing the exams with a certain score. As parents, students, teachers, and colleges have come to view AP courses as a signal of educational excellence, the number of exams taken has risen from less than 200,000 in 1981, to more than 1.4 million in 2001.

WHAT'S NEW – The No Child Left Behind Act

Reduces Bureaucracy and Increases Flexibility

- **Moves authorization for the program to the Elementary and Secondary Education Act** from the Higher Education Amendments, allowing the program to be better integrated with other efforts to raise standards and increase academic achievement at the secondary level.
- **Designates more entities as eligible to receive grants and provide services.** In addition to states, local school districts and national nonprofit educational entities with expertise in AP services are now eligible to receive competitive grants.

How It Works

Title I, Part G, now includes two separate programs.

1. **Advanced Placement Test Fee Program:** Grants are awarded to states to pay test fees for low-income students enrolled in AP courses. Funds are allocated to states based on the number of low-income students in the state in relation to the total number of low-income students in the nation.
2. **Advanced Placement Incentive Program:** One- to three-year, competitive grants are awarded to state education agencies (SEAs), school districts, and national nonprofit educational entities with expertise in AP services. Grants are designed to expand access to and participation in AP courses and tests for low-income students through teacher training, developing "pre-AP" and AP courses, coordinating and articulating curricula between grade levels to enhance student preparation for AP courses, and

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promoting online AP course-taking for students in schools that are unable to offer AP courses. Funding priority will be given to projects that demonstrate a pervasive need, involve business and community organizations in grant activities, provide matching funds, increase participation in online AP courses, focus on English, math, and science AP course-taking, and focus activities on districts and schools with high concentrations of low-income students.

How Performance Is Measured

All grantees (states, and in the case of the Incentive Program, local school districts and eligible national nonprofit entities) must report annually to the U.S. Department of Education on the number of students in the state or project, by subject area and by student demographic characteristics, who are taking an AP course, taking an AP test, and scoring at the different levels of proficiency.

Key Activities For The State Education Agencies

State education agencies must report AP participation and test outcome data to the U.S. Department of Education.

Title I, Part H

School Dropout Prevention

Purpose

This program assists schools with dropout rates above their state average to implement effective dropout prevention and reentry efforts. The program is a response to a national status dropout rates of about 11 percent over the past decade (with significantly higher rates in some regions and for some groups of students) and the poor labor market outcomes for those without a high school credential.

How It Works

The Dropout Prevention Program is primarily a grant program to state education agencies (SEAs) and local school districts to implement research-based, sustainable, and coordinated school dropout prevention and reentry programs. At the current appropriation level, grants will be awarded competitively and used for activities such as professional development; reduction in student-teacher ratios; counseling and mentoring for at-risk students; and implementing comprehensive school reform models. The U.S. Department of Education also will create a national recognition program to identify schools implementing comprehensive reforms that have been effective in lowering school dropout rates for all students.

Key Requirements

SEAs and districts must implement research-based instructional practices and other activities, and target funds to schools with annual dropout rates above their state average.

How Performance Is Measured

SEAs and school districts must report dropout data disaggregated by race and ethnicity for schools receiving program funds.

Key Activities For The State Education Agencies

State education agencies (SEAs) must:

- Report annually to the U.S. Department of Education on the status of implementation activities and on dropout rates, disaggregated by race and ethnicity, for students at schools assisted by the grant program. In addition, grantees must report annual school dropout rates for the two fiscal years prior to receiving funds under the grant.

Title I, Part I

General Provisions

Purpose

The General Provisions of Title I primarily concern regulatory and administrative requirements, including provisions concerning state and local flexibility and the development of regulations on the No Child Left Behind Act.

How It Works

Part I contains several provisions intended to ensure state and local flexibility in certain areas. It prohibits the federal government from mandating "specific instructional content, academic achievement standards and assessments, curriculum, or program of instruction," and it states that nothing in Title I requires equalized spending for a state, school district, or school. It also requires that state rules, regulations, and policies related to Title I be minimal, that they conform to the purposes of Title I, and that they be reviewed by a committee of practitioners created by the state to help it carry out its responsibilities under Title I.

Other provisions require annual state reports on school dropout rates, disaggregated by race and ethnicity, and annual General Accounting Office audits of at least six Title I districts to examine the extent to which funds were used for instructional and noninstructional purposes.

Key Activities For The State Education Agencies

State education agencies must:

- Prepare an annual report on school dropout rates.
- Establish a committee of practitioners to review any state rules, regulations, and policies related to Title I.

Title II, Part A

Teacher and Principal Training and Recruiting Fund, Grants To States

Purpose

The Improving Teacher Quality State Grants program increases student achievement by elevating teacher and principal quality through recruitment, hiring, and retention strategies. The programs uses scientifically based professional development interventions and holds districts and schools accountable for improvements in student academic performance. This program was created because research shows that teacher quality is correlated with student academic achievement (Sanders and Rivers, 1996). Because each community may face a variety of challenges with respect to teacher quality, this program allows funds to be used for a wide array of interventions.

WHAT'S NEW – The No Child Left Behind Act

Increases Accountability for Student Performance

- **Puts quality teachers in the classroom.** Each state education agency (SEA) must develop a plan to ensure that all teachers are "highly qualified" no later than the end of the 2005-06 school year. The plan must establish annual, measurable objectives for each local school district and school to ensure that they meet the "highly qualified" requirement. In general, a "highly qualified teacher" is a teacher with full certification, a bachelor's degree, and demonstrated competence in subject knowledge and teaching skills. See Section 9101(23) of the ESEA for the complete definition of a highly qualified teacher.
- **Develops a district improvement plan.** If an SEA determines that a school district has failed to make progress in meeting annual objectives for two consecutive years, the district must develop an improvement plan to meet the objectives and the state must provide technical assistance to the district. If a school district fails to make progress toward the annual objectives and fails to make adequate yearly progress for three consecutive years, then the SEA must enter into an agreement with the district on the district's use of Title II funds.

Reduces Bureaucracy and Increases Flexibility

- **Consolidates programs and expands eligible activities.** This new program combines the former Eisenhower Professional Development and the Class Size Reduction programs and greatly expands the number of activities allowed on the state and local levels. Therefore, each state and school district can tailor the interventions to target its unique challenges with respect to teacher quality.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Focuses on What Works

- **Employs scientifically based interventions.** All activities supported with Title II funds must be based on a review of scientifically based research that shows how such interventions are expected to improve student achievement. For example, if a state decides to fund interventions such as professional development in math, the state must be able to show how the particular activities are grounded in a review of activities that have been correlated with increases in student achievement.

Empowers Parents

- **Informs the public on teacher quality.** Every year, principals must attest to whether a school is in compliance with the "highly qualified" teacher requirement, and this information must be maintained at the school and district offices where it must be made available to the public upon request. In addition, each school district must report to the state annually on its progress in meeting the requirement that all teachers be "highly qualified" by the end of the 2005-06 school year. This information also must be included on the state report cards required under Title I.

How It Works

States must apply to the U.S. Department of Education for funding, and funds are allocated through a formula based on the school-age population and the number of children in poverty in each state. After reserving 1 percent for administration, states may use 2.5 percent of allotted funds for teacher quality activities. Ninety-five percent are distributed through subgrants to local districts using a formula that takes into account the school-age population and the number of children in poverty in each district. The remaining 2.5 percent of the funds are distributed on a competitive basis through subgrants to partnerships of high-need districts, schools of arts and sciences, and the school or department within institutions of higher education that prepares teachers.

States may undertake nearly 20 different kinds of state-level teacher quality activities including reforming teacher and principal certification and developing innovative teacher pay systems.

Subgrants to districts: School districts must submit an application to the state. Districts may undertake activities that fall into approximately 10 broad categories. These include professional development, recruitment initiatives, tenure reform, and merit pay.

Subgrants to partnerships: The SEA and the state agency for higher education must work together to determine the priorities and award competitive grants to eligible partnerships. Partnerships may use the funds to provide professional development for teachers, principals and paraprofessionals or to provide technical assistance to local districts in implementing high-quality professional development.

Key Requirements

When implementing Title II, Part A, states must:

- Ensure that activities are aligned with state standards, and based on a review of scientifically based research and contribute to improvements in student academic achievement;
- Coordinate the program with other professional development programs;

- Develop professional development activities in a collaborative fashion and seek the input of teachers, principals, parents, administrators, paraprofessionals, and other school personnel;
- Use funds to meet the requirement that all teachers be "highly qualified" by the end of the 2005-06 school year, develop annual objectives for measuring progress toward this requirement; and
- Use funds to ensure that all current paraprofessionals with instructional duties in any program supported with Title I, Part A, funds (other than translators and parent-involvement liaisons) have, by January 2006, completed at least two years of study at an institution of higher education, obtained an associate's (or higher) degree, or met a rigorous standard of quality and can demonstrate academic skills and knowledge.

How It Achieves Quality

Activities must be based on a review of scientifically based research that shows how such interventions are expected to improve student achievement. This means that there must be reliable and valid research evidence that the program activities are effective in helping teachers to improve student academic achievement.

How Performance Is Measured

States must use funds to ensure that all teachers are "highly qualified" by the end of the 2005-06 school year. Each year, beginning in the 2002-03 school year, the state must report on performance measures that indicate the percentage of teachers who are highly qualified and the percentage of teachers who are participating in high-quality professional development in order to become highly qualified. Each state may report on additional measures that the SEA determines to be important. Ultimately, the program's performance will be gauged by changes in student achievement over time as shown through the other NCLB reporting requirements. These reporting requirements include measures such as increases in the percentage of students who are proficient in reading by the end of the third grade and increases in the percentage of students who graduate from high school.

Key Activities For The State Education Agencies

State education agencies (SEAs) must:

- Develop Title II state-level activities based on a review of scientific research that shows that such activities are associated with gains in student achievement.
- Develop a plan for coordinating Title II professional development with professional development funded through other federal, state, and local programs.
- Work with the state agency for higher education to identify priorities and criteria and to award subgrants on a competitive basis to eligible partnerships of school districts and institutions of higher education in order to carry out professional development and technical assistance activities.

- Review annual reports submitted by districts on the percentage of teachers who are "highly qualified" and the percentage of teachers who are participating in professional development to help them to become "highly qualified" so that they can improve student achievement. The SEA must submit a report to the secretary of education each year on the percentage of teachers across the state who are "highly qualified" and who participated in high-quality professional development during the past year.
- If an SEA determines, based on a review of reports submitted by districts, that a district has failed to make progress in meeting the annual measurable objectives (including the percentage of "highly qualified" teachers) for two consecutive years, the SEA must direct the school district to develop an improvement plan that will enable the agency to meet the annual objectives. During the development and implementation of the improvement plan, the SEA must provide technical assistance to the district and, if applicable, to schools within the district. If the district fails to make progress in meeting the annual objectives for three consecutive years and has failed to make adequate yearly progress as described under Title I, the SEA must enter into an agreement with the local district on the district's use of Title II funds.

Title II, Part A, Subpart 5, Section 2151(B)

School Leadership

Purpose

The School Leadership program is a new discretionary grant program that supports efforts to recruit, retain, and provide training and continuing professional development to principals and assistant principals to create a high-quality school leadership force. As schools are held accountable for increasingly higher academic standards, it is vital to have high-quality principals leading schools. A recent report by the Education Research Service cites studies that find that the one attribute of all high-performing schools is a dedicated and dynamic principal. However, it is anticipated that at least 40 percent of our nation's principals will leave the profession in the next 10 years. Those who do remain will be faced with highly complex responsibilities. The School Leadership Program will help fill the need for high-quality principals by supporting the recruitment and professional development of effective school leaders who guide their teachers and help their students achieve.

How It Works

This program funds competitive awards to high-need local school districts, consortia of high-need school districts, and partnerships of high-need districts, nonprofit organizations, and institutions of higher education.

Key Requirements

Grantees must carry out activities to recruit, retain, and train principals and assistant principals, through such activities as: (1) providing financial incentives to aspiring new principals, (2) providing stipends to principals who mentor new principals, (3) providing professional development in instructional leadership and management, and (4) providing effective incentives for the recruitment and retention of individuals in other fields who want to become principals.

Title II, Part A, Subpart 5, Section 2151(c)

Advanced Certification or Advanced Credentialing

Purpose

This new, discretionary grant program funds activities that support teachers seeking advanced certification or credentialing. Funds go toward high-quality professional teacher enhancement programs that are designed to improve teaching and learning. These advanced certification and credentialing programs help identify teachers who are achieving high levels of instructional quality. These programs are also a tool to help teachers judge their own instructional performance against a set of high standards, and, thus, they encourage teachers to achieve high levels of performance. A recent study conducted by the National Board for Professional Teaching Standards, which offers advanced certification, sampled a small group of teachers from three cities who had gone through the National Board's certification process; in that sample, some teachers had earned National Board status and some had not. In comparisons between the teachers who became board-certified and those who did not, the board-certified teachers scored higher on dimensions of teaching quality, and in most cases, the differences in scores was statistically significant. National Board-certified teachers also had students who exhibited greater academic skills.

How It Works

This program provides discretionary grants to state education agencies (SEAs); local school districts; the National Board for Professional Teaching Standards, in partnership with a high-need district or an SEA; the National Council on Teacher Quality, in partnership with a high-need district or an SEA; or another recognized certification or credentialing organization, in partnership with a high-need district or an SEA.

How It Achieves Quality

This program encourages advanced training of teachers and the connection between teacher standards and student achievement.

Key Activities For The State Education Agencies

State education agencies (SEAs) may apply for grant funds alone, or with a certification or credentialing organization.

Title II, Part A, Subpart 5, Section 2151(E)

Early Childhood Educator Professional Development

Purpose

This program aims to enhance the school readiness of young children, particularly those who are disadvantaged, and prevent them from encountering difficulties once they enter school. To achieve this, the program funds partnerships whose goal is to improve the knowledge and skills of early childhood educators who work in communities with high concentrations of children living in poverty. Research has shown that children who receive high-quality early childhood education do better in school and later life. In addition, one of the strongest predictors of a high-quality early childhood education program is the preparation and pay of teachers, as well as their responsiveness and sensitivity to the children in their care. Yet the reality is that pay and preparation for early childhood educators remain low: in 2000, the average teacher salary of child-care workers was $15,430, and only in 20 states and the District of Columbia are teachers who work in public prekindergarten or preschool programs required to have a bachelor's degree and a teaching certificate in early childhood or elementary education.

WHAT'S NEW – The No Child Left Behind Act

Focuses On What Works

- **Funds programs based on scientifically based research.** Partnerships must describe how the professional development activities that they provide are based on scientific research.
- **Supports professional development for early childhood educators in areas with disadvantaged children.** Partnerships may provide professional development to train early childhood educators to meet the diverse educational needs of children in the community, including children who are limited English proficient, children with disabilities, and children with other special needs.
- **Trains early childhood educators to provide developmentally appropriate school-readiness services.** Partnerships describe how they will train early childhood educators to provide developmentally appropriate school-readiness services-such as instruction in language, cognitive development, and early reading skills-based on the best available research on early childhood pedagogy, child development, and learning.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Increases Accountability for Professional Development

- **Meets achievement indicators.** Partnerships must report annually to the U.S. Department of Education on their progress toward meeting achievement indicators that the secretary has established. These indicators include the quality and accessibility of professional development, the impact of the professional development on early childhood educators, and other measures of program impact.

How It Works

This competitive discretionary grant program is newly authorized under the No Child Left Behind Act, although a somewhat similar grant program existed in 2001. The program will provide two-year grants to partnerships consisting of: (1) one or more institutions of higher education or another public or private entity that provides professional development for early childhood educators who work with children from low-income families in high-need communities; (2) one or more local or state public agencies, Head Start agencies, or private organizations; and (3) an entity that has demonstrated experience in providing training to educators in early childhood education programs in identifying and preventing behavior problems in children or working with children who are victims or suspected to be victims of abuse.

Key Requirements

Each applicant must submit an application to the U.S. Department of Education that includes, among other things, a description of the high-need community to be served; information on the quality of the early childhood educator professional development program currently being conducted; the results of the needs assessment the partnership has conducted; the types of professional development activities, based on scientific research, that will be carried out; and how the project will be coordinated with and build on, early childhood education professional development activities in the community.

Partnerships that receive grants must carry out activities that will improve the knowledge and skills of early childhood educators who are working in programs in high-need communities that serve concentrations of children from low-income families. Those activities may include professional development in: (1) the application of recent research on child, language and literacy development and early childhood pedagogy; (2) working with parents; (3) working with children who have limited English proficiency, disabilities, and other special needs; and (4) identifying and preventing behavioral problems in children or working with children suspected to be victims of abuse. Other allowable activities include assisting and supporting educators during their first three years; using distance learning to support professional development; and selecting and using screening and diagnostic assessments to improve teaching and learning;. The program also supports data collection, evaluation, and reporting on meeting the achievement indicators established by the secretary.

How It Achieves Quality

The U.S. Department of Education has established achievement indicators for this program that are designed to measure the quality and accessibility of the professional development provided, its impact on early childhood education, and other measures of program impact.

How Quality Is Measured

Every partnership must report annually to the Department on its progress toward achieving the goals specified by these indicators.

Key Activities For The State Education Agencies

State education agencies may apply as part of a partnership. All partnerships that receive grants must use the funds to improve the knowledge and skills of early childhood educators who are working in early childhood programs that are located in high-need communities and serve concentrations of children from low-income families. Partnerships may provide the allowable activities in the statute, and must report to the Department annually on their progress.

Title II, Part B

Mathematics and Science Partnerships

Purpose

This new program is designed to improve students' academic achievement in mathematics and science. It provides competitive grants to partnerships for professional development, teacher recruitment, and curriculum redesign in mathematics and science. The program is a jointly funded initiative supported by the U.S. Department of Education and the National Science Foundation. Recent national and international studies highlight the need for greater attention to math and science education. Results from the National Assessment of Educational Progress (NAEP) 2000 in science showed no significant change in student performance in grades 4 and 8, and a decline in performance in grade 12 since 1996. In the NAEP 2000 math assessment, although there were overall gains in grades 4, 8, and 12 since 1990, 12th-graders' performance declined since 1996. The Mathematics and Science Partnership program supports the idea that high-quality teaching can make a difference in student achievement. This idea is also corroborated by the recent report of the National Commission on Mathematics and Science Teaching for the 21st Century, which said: "The most direct route to improving mathematics and science achievement for all students is better mathematics and science teaching,"

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Increases the subject matter knowledge and teaching skills of mathematics and science teachers.** Partnerships will bring together mathematics and science teachers with scientists, mathematicians, and engineers to expand teachers' subject matter knowledge of and research in science and mathematics.
- **Focuses on professional development of mathematics and science teachers as a career-long process.** Partnerships will provide opportunities for advanced and ongoing professional development activities that improve teachers' subject matter knowledge. Activities may include workshops or institutes that directly relate to the curriculum and subject area in which teachers provide instruction, that enhance the ability of teachers to understand and use challenging content standards, or that provide teachers with the opportunity to work with experienced teachers and university faculty.
- **Establishes systems for recruiting, training, and advising mathematics and science teachers.** Partnerships can use funds to recruit mathematics, engineering, and science majors to teaching through the use of signing and performance incentives, stipends to teachers for certification through alternative routes, and scholarships for teachers to pursue advanced course work.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works (cont.)

- **Aligns mathematics and science curricula with state and local standards as well as postsecondary standards.** Curricula will be redesigned or developed to meet high standards.

Increases Accountability for Student Performance

- **Develops an accountability and evaluation plan with measurable objectives.** Partnerships will report annually to the U.S. Department of Education on their progress in increasing the number of mathematics and science teachers who participate in content-based professional development and improving student achievement in mathematics and science.

How It Works

The Mathematics and Science Partnerships program is a discretionary grant program that supports improved student achievement in mathematics and science through enhanced training for teachers and recruitment of high-quality math and science teachers. Grants are targeted to partnerships of high-need school districts and to science, mathematics, and engineering schools within universities, giving districts and universities joint responsibility for training and educating math and science teachers.

Key Requirements

Each year that the program is funded for less than $100 million, the U.S. Department of Education will award competitive grants directly to eligible partnerships, consisting of, at minimum, (1) a state education agency; (2) an engineering, mathematics or science department at an institution of higher education; and (3) a high-need local education agency. In years that the program receives more than $100 million in funding, the U.S. Department of Education will allocate funds directly to states by formula so that they can award subgrants to eligible partnerships that must include an engineering, mathematics or science department at an institution of higher education; and a high-need local education agency. Grants are awarded for three years and grantees must:

- Institute reforms that are aligned with academic standards in mathematics and science.
- Engage in activities that are based on scientific research.
- Carry out reforms and create an accountability plan.
- Continue reforms after federal funding has ended.

How It Achieves Quality

The Mathematics and Science Partnerships program emphasizes the use of high-quality and research-based practices. Partnerships are authorized to carry out activities that are based on scientifically based research and must conduct a comprehensive assessment of their teacher quality and professional development needs before receiving grant funds.

How Quality Is Measured

The quality of the program will be measured by the progress that partnerships make in achieving the objectives in their evaluation and accountability plan.

Key Activities For The State Education Agencies

For any year that this program is funded for more than $100 million, the U.S. Department of Education will make grants to state education agencies (SEAs) directly through a formula based on the state's share of children in families below the poverty line. In those years, the SEA will be responsible for conducting a competitive grants competition to award subgrants to partnerships. When the program is funded for more than $100 million, SEAs must participate as members of funded partnerships.

Title II, Part C, Subpart 1, Chapter A

Troops-to-Teachers

Purpose

The Troops-to-Teachers program encourages former military personnel to become classroom teachers. The program recruits eligible participants and provides them with referral and placement services as well as financial assistance for teaching in high-need schools. The purpose of this program is to help relieve teacher shortages, especially in high-need areas such as math, science and special education; provide positive role models for public school students; and assist former military personnel in making the transition to teaching as a second career. To date, more than 4,300 teachers have been hired through the program, in every state and in more than 2,000 school districts.

WHAT'S NEW – The No Child Left Behind Act

Increases Accountability for Student Performance

- Requires the secretary of education (along with the secretaries of defense and transportation, and the comptroller general of the United States) to submit to Congress no later than March 31, 2006, a report on the effectiveness of the program in the recruitment and retention of qualified personnel by local school districts and public charter schools. The report must include information about the number of participants, the schools in which they are employed, the grade levels and academic subjects they teach, and retention rates.

How It Works

Troops-to-Teachers provides support and financial services to former military personnel interested in becoming teachers. The program is administered by the Department of Defense through the Defense Activity for Non-Traditional Education Support (DANTES) under a memorandum of understanding with the U.S. Department of Education.

Key Requirements

The program is funded through the U.S. Department of Education, which transfers the funds to the Department of Defense DANTES office. Troops-to-Teachers itself does not provide participants with preservice training to become certified teachers; rather, the program provides guidance on how to obtain certification, maintains a nationwide teacher referral system, has placement offices in 24 states, and provides participants with lists of district vacancies. Participants receive a stipend of up to $5,000 to pay for certification costs or a bonus of $10,000 if they teach full-time in a high-need school as an elementary, secondary, vocational or technical teacher for at least three years.

How It Achieves Quality

According to a Troops-to-Teachers survey conducted in 1998, the program has successfully recruited significant numbers of men and minorities to teaching. For example, 90 percent of Troops-to-Teachers participants are male and 29 percent are minorities, compared to 26 percent and 13 percent, respectively, on a national level. Troops-to-Teachers participants are also more likely than teachers on a national level to teach in shortage subject areas, such as mathematics, science and special education, and to teach or be willing to teach in inner cities and rural areas.

How Quality Is Measured

The quality of the program will be measured by its progress in recruiting and retaining qualified personnel. This progress will be reported to Congress by March 31, 2006.

Key Activities For The State Education Agencies

State education agencies may participate in the following activities:

- Operate Troops-to-Teachers recruitment offices.
- Identify and coordinate activities with high-need school districts.
- Implement Innovative Preretirement Teacher Certification Program grants during years in which this program is implemented.

Title II, Part C, Subpart 1, Chapter B

Transition to Teaching

Purpose

The Transition to Teaching program is a new competitive grant program that recruits and retains highly qualified mid-career professionals and recent college graduates as teachers in high-need schools. The program also supports the development and expansion of alternative routes to initial teacher certification. Transition to Teaching will help bring individuals into teaching who have strong content expertise but lack a teaching credential, and it will help school districts fill shortage areas. Participants in the program will receive special assistance, guidance, and support to encourage them to make teaching a long-term career.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Recruits quality individuals into the classroom.** Grantees may provide scholarships, stipends, and other financial incentives that are linked to participation in activities that have proven to be effective in retaining teachers in high-need schools, at a maximum of $5,000 per participant.
- **Provides induction support and other activities** that have been proven to be effective in recruiting and retaining teachers, such as teacher mentoring, internships, and high-quality preservice course work and sustained in-service professional development.
- **Requires each grantee to use funds** only for programs that have proven to be effective in recruiting and retaining teachers.

Improves the Academic Performance of Disadvantaged Students

- **Sets a priority for applications from high-need local education agencies (LEAs).** A "high-need LEA" is defined as one: that serves 10,000 or more children from families with incomes below the poverty line or for which more than 20 percent of children are from families with incomes below the poverty line. A high-need LEA also may be one for which there is a high percentage of teachers teaching out of subject or grade level or for which there is a high percentage of teachers with emergency, provisional, or temporary certification.
- **Places teachers in fields in which they are qualified to teach and in high-need schools.** Grantees may carry out placement and ongoing activities to ensure that teachers are teaching in-field and are placed in high-need schools.

How It Works

This program provides competitive five-year grants to recruit and retain highly qualified individuals into the teaching profession. The projects funded through this program specifically target mid-career professionals, or recent college graduates who, if they wish to teach in a secondary school, have an academic degree in the subject they want to teach.

Eligible applicants include: (1) an SEA; (2) a high-need school district; (3) a for-profit or nonprofit group that has been effective at recruiting and retaining high-quality teachers, in partnership with an SEA or a high-need district; (4) an institution of higher education, in partnership with an SEA or high-need district; (5) a consortium of SEAs; or (6) a consortium of high-need districts.

Key Requirements

Projects that receive grants must use their program funds for at least two or more of the following activities: (1) scholarships, stipends, bonuses, and other financial incentives (for an amount limited to $5,000 per person) that are linked to participation in activities that have proven effective in retaining teachers in high-need schools; (2) placement activities; (3) pre- and post-placement induction and support services; (4) payments to cover the costs of providing financial incentives to individuals or the costs of accepting teachers recruited; (5) collaborating with institutions of higher education in developing and implementing teacher recruitment and retention programs; (6) carrying out programs that have proven to be effective in recruitment and retention; and (7) developing long-term recruitment and retention strategies. However, all projects must include activities that lead to hiring of eligible participants as teachers in high-need schools, and provide these individuals the follow-up support they need to succeed in their new careers.

How It Achieves Quality

Every project funded through the Transition to Teaching program must conduct an interim and a final evaluation of how well they have met their goals. Projects that have not made substantial progress in meeting the goals and objectives of their grant by the end of the third year of the grant period will lose funding for the fourth and fifth years of funding.

How Quality Is Measured

The quality of the Transition to Teaching program will be measured by the extent to which funded projects achieve their recruitment and retention goals as outlined in their grant applications. These goals include increasing the number of highly qualified teachers in high-need schools and high-need subjects; collaborating with other organizations to recruit, train, place, and support new teachers; developing a teacher corps or other program to recruit and retain individuals; and developing or enhancing state alternative routes to teacher certification or licensure.

Key Activities For The State Education Agencies

State education agencies are eligible to receive grants under this program, either individually or in consortia.

Title II, Part C, Subpart 2

National Writing Project

Purpose

The National Writing Project is a nonprofit educational organization that supports programs to train classroom teachers to teach writing effectively to their students. This program supports the expansion and continued activities of the National Writing Project and the dissemination of effective professional development practices.

How It Works

This is a noncompetitive grant award to the National Writing Project, which is an educational organization that contracts with institutions of higher education and other nonprofit organizations to provide professional development activities to teachers, educating them in how to effectively teach writing to students. The professional development activities that are supported through the National Writing Project train teachers in all disciplines from kindergarten to college, and are conducted during the school year and summer months. The National Writing Project sites also maintain a network of teachers who provide professional development training in writing for their colleagues.

Key Requirements

The National Writing Project must enter into contracts with institutions of higher education and nonprofit education providers that will establish and operate programs that train teachers to teach writing effectively. The program also must establish a national advisory board to advise it on issues related to student writing and teaching writing. In addition, the program must establish a National Review Board to review and recommend applications for assistance.

How It Achieves Quality

The National Writing Project must ensure high quality within the local sites that are funded through ongoing review, evaluation, and technical assistance. The program also supports and promotes local sites' dissemination of effective practices and researchers' findings on teaching writing.

How Quality Is Measured

Quality will be measured through an independent evaluation of the teacher training programs funded through the National Writing Project. The evaluation will be conducted by the secretary of education.

Title II, Part C, Subpart 3

Civic Education

Purpose

The Civic Education program is designed to improve the quality of civics and government education, foster civic competence and responsibility, and improve the quality of civic and economic education through cooperative education exchange programs with emerging democracies. According to the 1998 National Assessment of Educational Progress in civics, almost one-third of U.S. students scored below basic in civics achievement, and only about one-quarter score at or above the proficient level.

How It Works

This program funds (1) a noncompetitive grant to the Center for Civic Education to carry out civic education activities, (2) a noncompetitive grant to the National Council on Economic Education to carry out economic education activities, and (3) grants or contracts to other organizations to carry out international civic education activities.

Key Requirements

The Center for Civic Education uses funds to continue and expand its "We the People...The Citizen and the Constitution" program. Funds are also used to carry out activities that enhance students' attainment of challenging academic content standards in civics, and activities that provide materials on the basic principles of the U.S. Constitution and the democratic system.

In addition, the Center for Civic Education, the National Council on Economic Education, and other organizations awarded grants will use funds to carry out cooperative education exchange programs for educational and political leaders from the countries identified in the statute. The Center for Civic Education and other eligible organizations can use funds to carry out civic education programs, while the National Council on Economic Education can use funds to carry out economic education programs.

How it Achieves Quality

These programs support challenging academic standards for students, provide advanced, sustained and ongoing training of teachers, and provide support for research and evaluation.

Title II, Part C, Subpart 4

Teaching of Traditional American History

Purpose

The Teaching American History program supports student achievement by improving teachers' knowledge, understanding, and appreciation of American history. According to the most recent statistics from the National Assessment of Educational Progress (NAEP) in U.S. history, only 17 percent of fourth-graders, 14 percent of eighth-graders, and 11 percent of 12th-graders scored *proficient* on the assessment; further, more than half of 12th graders did not reach the *basic* level. The Teaching American History program helps increase students' knowledge of history by providing funds to school districts to design, implement and demonstrate effective, research-based professional development programs. The program is predicated on the idea that students who know and appreciate American history will be well-prepared to understand and exercise their civic rights and responsibilities.

How It Works

This is a direct federal-to-local discretionary grant program that funds districts, in partnership with institutions with extensive content expertise in American history, to implement high-quality programs that enhance teachers' knowledge, understanding and appreciation of American history. Partnerships should develop and carry out programs that promote the teaching of American history as an academic subject separate from social studies.

Key Requirements

To be eligible, districts must partner with one or more of the following groups: an institution of higher education, a nonprofit history or humanities organization, a library, or a museum. At least one group must have content expertise in American history. Funds should be used to: (1) carry out activities that promote the teaching of American history as an academic subject separate from social studies, and (2) develop, implement and strengthen programs that improve the quality of instruction and the quality of professional development and teacher education activities with respect to American history.

How It Achieves Quality

Districts, working in partnership with groups that have content expertise in history, provide teachers with intensive content training in American history, as well as effective teaching strategies. Through these training activities, teachers gain a stronger understanding of the significant issues, episodes, individuals, and turning points in the history of the United States.

How Quality Is Measured

Grantees must submit annual evaluations to the U.S. Department of Education that demonstrate how their project improves the quality of instruction in American history.

Title II, Part C, Subpart 5

Teacher Liability Protection

Purpose

The Paul D. Coverdell Teacher Protection Act of 2001 limits the financial liability of teachers, principals, and other school professionals for harm they may cause when acting on behalf of the school in disciplining students or maintaining classroom order. A recent survey of school principals found that 65 percent of respondents had modified or, in some cases, eliminated certain school activities due to liability concerns, and a survey of teachers found that liability was among respondents' top three concerns. The new provision will encourage school staff to maintain school discipline and order by removing the fear of being sued for their actions.

How It Works

This provision protects educators from liability for harm they may cause while disciplining students, and limits the awarding of punitive damages against them, as long as they are acting within the scope of their employment and in accordance with applicable federal, state, and local laws, including civil rights laws. There are a number of exceptions, including violent crimes, sexual offenses, and actions committed under the influence of drugs or alcohol. The law also states that this provision has no effect on any state or local laws, rules, regulations, or policies about the use of corporal punishment. The provision applies to teachers, principals, administrators, school board members, educational professionals working in a school, any school employee whose job is to maintain discipline and ensure safety, and any school employee who is acting in an emergency to maintain discipline and ensure safety.

Title II, Part D, Subparts 1 and 2 (Educational Technology State Grants Program and National Technology Activities)

Enhancing Education Through Technology

Purpose

Technology can be used to enhance curricula and engage students in learning. In addition, the job market increasingly demands technology skills for new workers. Research has indicated that a digital divide in terms of technology access and use exists between students in high-poverty schools and students in other schools. For example, according to the National Center for Education Statistics, in 2000, while the overall ratio of students-to-instructional computers with Internet access was 7- to-1, in high-poverty schools the ratio was 9- to-1 compared to 6-to-1 in low-poverty schools. Similarly, in 2000, 60 percent of classrooms in high-poverty schools were connected to the Internet compared to 82 percent of classrooms in other schools. Even as technology becomes more ubiquitous in classrooms, teachers' preparation to use technology for teaching lags behind access to technology. In 2000, only 27 percent of teachers reported that they were fully prepared to integrate technology in their instruction. Seventy-seven percent of subgrantees of the Technology Literacy Challenge Fund— the predecessor program to the Educational Technology State Grants Program, which also targeted high-poverty districts—reported that professional development was a primary use of program funds in 2000.

The principal goal of the Educational Technology State Grants Program is to improve student academic achievement through the use of technology in elementary and secondary schools. It is also designed to assist every student in becoming technologically literate by the end of eighth grade and to encourage the effective integration of technology resources and systems with teacher training and professional development to establish research-based instructional models. The program targets funds primarily to school districts that serve concentrations of poor students.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Emphasizes implementation of proven strategies** by requiring participating districts to base the strategies they use for integrating technology into curricula and instruction on reviews of relevant research.
- **Supports high-quality professional development activities** by requiring that at least 25 percent of funds received by districts be used for high-quality professional development in the integration of technology into instruction.
- **Mandates a national study** to examine the conditions under which technology is effective in increasing student achievement and the ability of teachers to teach.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Reduces Bureaucracy and Increases Flexibility

- **Provides more flexibility in state uses of funds** by allowing support for activities such as interstate distance learning partnerships, performance-management systems, and public-private partnerships.

Increases Accountability for Student Performance

- **Setting of goals for using technology** to improve student achievement that are aligned with challenging state academic standards is required of state education agencies (SEAs) and school districts.

Improves the Academic Performance of Disadvantaged Students

- **Targets competitive subgrants to high-need districts** that (1) are high-poverty and (2) serve at least one low-performing school or have a substantial need for assistance in acquiring and using technology.

How It Works

The Educational Technology State Grants Program awards formula grants to states. States may use up to 5 percent of their Educational Technology State Grants Program funds for state-level activities. States must distribute half of the remaining funds by formula to school districts based on each district's share of funds under Part A of Title I and the other half to high-need districts or partnerships including high-need districts on a competitive basis. Under the Educational Technology State Grants Program, high-need districts are those that (1) are high-poverty and (2) serve at least one low-performing school or have a substantial need for technology.

The program supports improved student academic achievement through the use of technology in schools by supporting high-quality professional development; increased access to technology and the Internet; the integration of technology into curricula; and the use of technology for promoting parental involvement and managing data for informed decision-making. Districts are required to spend 25 percent of the funds they receive on professional development, though a state may exempt a district that demonstrates already provides high-quality professional development in the integration of technology. In addition, the program will support national activities for disseminating information regarding best practices and providing technical assistance to states and districts and a rigorous, long-term study of the conditions and practices under which educational technology improves teaching and learning.

Key Requirements

SEAs must have state technology plans that include state goals for the use of technology and the strategies the state will use to prepare teachers to use technology. States also must provide technical assistance in developing applications to high-poverty districts and use accountability measures to evaluate the effectiveness of the Educational Technology State Grants Program. States as well as districts may use program funds to develop performance-measurement systems for tracking their progress. Districts also must have local long-range strategic educational technology plans to be eligible for formula or competitive grant funding.

How It Achieves Quality

The program emphasizes using both proven and innovative strategies for the use of technology. Specifically, the Educational Technology State Grants Program focuses on using technology to support improved curricula, instruction and, ultimately, student achievement by making available the resources necessary for integrating technology into the instructional program. This includes funds for Internet connections and services, professional development for teachers, and technology applications. Districts may participate in the Educational Technology State Grants Program by forming partnerships or consortia with other organizations, other districts, universities, and public-private initiatives that have been effectively using technology or have expertise in applying educational technology in instruction.

How Performance Is Measured

Participating SEAs and school districts must develop accountability measures for assessing how effective the Educational Technology State Grants Program is in supporting the integration of technology into curricula and instruction, increasing the ability of teachers to teach with technology, and enabling students to meet challenging state standards. In addition, the Department will conduct an independent study to identify the conditions under which technology increases student achievement and teachers' ability to teach with technology improves.

Key Activities For The State Education Agencies

States are responsible for implementing their state technology plans, including tracking progress according to the goals and accountability measures in their plans.

Districts applying for the Educational Technology State Grants Program must describe how they will use Educational Technology State Grants Program funds, including how they will promote the implementation of technology to improve student academic achievement and teacher effectiveness. States must provide technical assistance to high-poverty districts that demonstrate need for assistance in developing applications.

Title II, Part D, Subpart 3

Ready-to-Learn Television

Purpose

Gaps in educational performance often start early. Students from disadvantaged backgrounds frequently start elementary school less prepared than their schoolmates from more advantaged backgrounds. High-quality preschool and related activities can play an important role in eliminating this gap. Educational television has proved an important tool in strengthening the preschool skills of young children. By providing high-quality instructional content for young children, the gap in early learning can be reduced.

The Ready-to-Learn Television program develops and disseminates educational programming for preschool and early elementary school children and their families. The program supports distribution of programming and printed materials to increase school readiness for young children in limited English proficient households and to increase family literacy. Accompanying support materials and services promote the effective use of educational television programming.

How It Works

Eligible entities apply to the U.S. Department of Education, and funds are allocated by grant, contract, or cooperative agreement with a public telecommunications entity that is able to demonstrate: (1) a capacity to develop and nationally distribute educational and instructional television programming of high quality that is accessible by a large majority of disadvantaged preschool and elementary school children; (2) a capacity to contract with producers of children's television programming for the purpose of developing educational television programming of high quality; (3) a capacity to negotiate contracts so that an appropriate share of any ancillary income from sales of program-related products are returned to the entity; and (4) a capacity to localize programming and materials to meet specific state and local needs and to provide local educational outreach.

Key Requirements

To increase effective use, programming must be made widely available with appropriate support materials to young children, parents, child-care workers, Head Start providers, Even Start providers, and providers of family literacy services. Grantees shall consult with the federal departments of Education and Health and Human Services to maximize utilization of the program and to coordinate with federal programs that have major training components for early childhood development.

How Performance Is Measured

An annual report to the secretary of education must include a description of program activities, including programming and support materials that have been developed, programming distribution, and initiatives to develop public and private partnerships. In addition, multiyear experimental evaluations of the programming's effectiveness to help enhance children's readiness for school are under way.

Title III

Language Instruction for Limited English Proficient and Immigrant Students,

Purpose

The Language Instruction for Limited English Proficient and Immigrant Students program assists school districts in teaching English to limited English proficient students and in helping these students meet the same challenging state standards required of all students. The number of limited English proficient children attending American schools has grown dramatically, primarily because of immigration, with state education agencies reporting that limited English enrollment rose from 2.1 million in the 1990-1991 academic year to more than 3.7 million in 1999-2000. Although their numbers are increasing, their educational attainment remains low. A congressionally mandated study found that these students receive lower grades, are judged by their teachers to have lower academic abilities, and score below their classmates on standardized tests of reading and math.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Requires that teachers be certified as English language proficient.** School districts are to certify that all teachers in a language instruction education program for limited English proficient students are fluent in English and any other language used by the program, including written and oral communication skills.
- **Requires that curricula be demonstrated to be effective.** Language instruction curricula used to teach limited English proficient children are to be tied to scientifically based research and demonstrated to be effective.

Reduces Bureaucracy and Increases Flexibility

- **Provides discretion over instruction methods.** Local entities have the flexibility to choose the method of instruction to teach limited-English proficient children.
- **Targets funds to the classroom.** Ninety-five percent of funds must be used for grants at the local level to teach limited English proficient children.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Increases Accountability for Student Performance

- **Establishes annual achievement objectives for limited English proficient students.** States must establish standards and benchmarks for raising the level of English proficiency and meeting challenging state academic standards for limited English proficient students that are aligned with state standards.
- **Sets English language proficiency as the objective.** Annual achievement objectives for limited English proficient students must relate to gains in English proficiency and meet challenging state academic standards that are aligned with Title I achievement standards.

Increases Accountability For Student Performance (cont.)

- **Requires reading and language arts assessments of children in English.** Title I requirements to annually assess children, including limited English proficient students, in English for any student who has attended school in the United States (excluding Puerto Rico) for three or more consecutive years apply to grantees funded under Title III.
- **Enforces accountability requirements.** States must hold subgrantees accountable for making adequate yearly progress as described in Title I and for meeting all annual achievement objectives.

Empowers Parents

- **Notifies parents about program placement.** Parents must be notified by the local education agency concerning why their child needs a specialized language instruction program. Parents have the right to choose among instructional programs if more than one type of program is offered and have the right to remove their child from a program for limited English proficient children.

How It Works

If the appropriation exceeds $650 million, the U.S. Department of Education determines formula allocations based on the state's share of limited English proficient students and recent immigrant students. State education agencies (SEAs) receiving a grant must agree to spend at least 95 percent of their allotment to award formula subgrants to districts. SEAs must reserve up to 15 percent for school districts that have experienced significant increases in the number or percentage of immigrant students, especially those districts with significant increases that have limited or no experience in serving immigrant students. If a state does not apply, the secretary of education makes competitive awards directly to "specially qualified agencies" (school districts). If the appropriation is less than $650 million, three discretionary grant programs for instructional services, four support services programs, a professional development program, and immigrant education formula grants—similar to the programs in the previous law—are authorized.

Key Requirements

SEAs or specially qualified agencies submit a plan to the U.S. Department of Education that describes: the process for awarding subgrants; how the agency will establish standards and objectives for raising the level of English proficiency that are aligned with state standards; and, how the SEA will hold districts, eligible entities, and schools accountable for meeting all annual measurable achievement objectives and making adequate yearly progress for limited English proficient children.

- School districts must use Title III funds to provide high-quality language instruction programs that are based on scientifically based research, and that have demonstrated that they are effective in increasing English proficiency and student achievement.
- Districts are required to provide high-quality professional development to classroom teachers, principals, administrators, and other school or community-based organizational personnel in order to improve the instruction and assessment of limited English proficient students.
- Districts are held accountable for making adequate yearly progress as described in Title I and meeting all annual achievement objectives.

How It Achieves Quality

State education agencies and districts have the flexibility to implement language instruction programs based on scientifically based research on teaching limited English proficient children. In addition, professional development is to be informed by scientifically based research that demonstrates its effectiveness in increasing children's English proficiency or teachers' knowledge and skills, and is of sufficient intensity and duration to have a positive and lasting impact on the teachers' performance in the classroom.

How Performance Is Measured

Subgrantees submit an evaluation to the SEA every second fiscal year that describes the program, and the progress made by children in learning English, meeting state standards, and attaining English proficiency. The SEA reports to the U.S. Department of Education every second year on its programs and activities, and their effectiveness in improving the education of children who are limited English proficient. The Department reports to Congress every second year on programs serving limited English proficient children and their effectiveness in improving the academic achievement and English proficiency of children who are limited English proficient, and provides, a synthesis of state-reported data.

Key Activities For The State Education Agencies

State education agencies must:

- Award subgrants to improve the education of limited English proficient children.
- Approve subgrantees' evaluation measures.
- Develop annual measurable achievement objectives for limited English proficient children.
- Hold subgrantees accountable for meeting annual measurable achievement objectives and for making adequate yearly progress.
- Require subgrantees failing to make appropriate adequate yearly progress to develop an improvement plan and require sanctions if subgrantees fail to meet the annual measurable achievement objectives for four consecutive years.
- Report to the U.S. Department of Education on program activities, and on the effectiveness of the program in improving the education provided to children who are limited English proficient.

Title IV, Part A

Safe and Drug-Free Schools and Communities

Purpose

The Safe and Drug-Free Schools and Communities Act supports programs to prevent violence in and around schools; prevent the illegal use of alcohol, drugs, and tobacco by young people; and foster a safe and drug-free learning environment that supports academic achievement. Without a safe and orderly learning environment, teachers cannot teach and students cannot learn. Students and school personnel need a secure environment, free from the dangers and distractions of violence, drug use, and lack of discipline, in order to ensure that all children achieve to their full potential.

In 1999, students ages 12 through 18 were victims of about 2.5 million crimes at school, including about 186,000 serious violent crimes (including rape, sexual assault, robbery, and aggravated assault). Student safety is of concern outside of school as well: In 1999, students were more than twice as likely to be victims of serious violent crime away from school as at school.

The crime rate at schools has declined over the last few years. Between 1995 and 1999, the percentage of students who reported being victims of crime at school decreased from 10 to 8 percent. However, the prevalence rates of some types of crimes at school have not changed. For example, between 1993 and 1999, the percentage of students in grades 9 through 12 who were threatened or injured with a weapon on school property in the past 12 months remained constant, at about 7 to 8 percent.

As the rate of victimization in schools has declined or remained constant, students also seem to feel more secure than just a few years ago. The percentage of students ages 12 through 18 who reported avoiding one or more places at school for their own safety decreased between 1995 and 1999, from 9 to 5 percent. Furthermore, the percentage of students who reported that street gangs were present at their schools decreased from 1995 to 1999.

However, not all indicators have improved. For example, in 1999, about one-third of students in grades 9 through 12 reported that someone had offered, sold, or given them an illegal drug on school property, an increase from about one-quarter in 1993. Thus, the data on school crime and safety present a mixed picture. While overall school crime rates have declined, violence, gangs, and drugs are still present, indicating that more work needs to be done.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Specifies principles of effectiveness.** In order to ensure that the program supports high-quality, effective activities, the Principles of Effectiveness require that grantees conduct a needs assessment, use research-based activities, and establish performance measures.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Improves Information and Reporting

- **Establishes information and reporting systems.** Each state is required to establish a uniform management and reporting system to collect information on school safety and drug use among young people. This information will be publicly reported so that citizens have the information they need to ensure that their local schools are free from violence and drug use, and, in cases where schools fall short, to encourage improvement and track progress over time.

How It Works

The Safe and Drug-Free Schools (SDFS) program has two main components, the state grant program and national programs. The state grant component is a formula grant program, with funding provided to the state education agency (SEA) (at least 80 percent) and the office of the governor (up to 20 percent). SEA funds flow to districts by formula, and districts may use this funding for a wide range of drug- and violence-prevention activities and strategies. Up to 5 percent of SEA funds may be used for state-level activities, including technical assistance and training, evaluation, and program improvement services for districts and community groups. Governors' funds are awarded through grants and contracts to districts and community groups for services to youths with special needs, such as dropouts and students who are suspended or expelled, homeless, pregnant or parenting.

The national programs component provides discretionary funding for demonstration projects, special initiatives, technical assistance to states and districts, evaluation, and other efforts to improve drug and violence prevention. The law establishes a number of initiatives under SDFS national programs with specific provisions about who may apply and how funds may be used.

Key Requirements

States must develop a coordinated, comprehensive plan for how the SEA and governor's office will use SDFS funds. They must conduct a needs assessment (including collecting data on the incidence and prevalence of youth drug use and violence and the prevalence of related risk and protective factors) and develop state performance measures for SDFS-funded prevention activities. States must also:

- Ensure that governor's office activities will not duplicate SEA and district prevention efforts;
- Cooperate with the U.S. Department of Education's SDFS evaluation and data collection activities;
- Use program funds to supplement, not supplant, other prevention funding; and
- Develop their plans for the use of program funds in consultation with appropriate state officials and representatives of parents, students, and community-based organizations and make them available for public review.

How It Achieves Quality

Principles of Effectiveness apply to state grant program activities, including formula grant programs in districts, activities supported by grants and contracts made by the governor's office, and state-level activities undertaken by the SEA. The Principles of Effectiveness require that grantees:

- Base their programs on research-based prevention activities;

- Select activities that respond to local needs-as determined by objective data;
- Establish a set of performance measures for their programs aimed at ensuring a safe, orderly, and drug-free learning environment;
- Involve parents in their programs; and
- Evaluate their programs.

How Performance Is Measured

States and districts are required to establish performance measures for their activities under the state grant program. State performance measures must:

- Be focused on student behavior and attitudes;
- Be derived from the needs assessment described in the state's application;
- Be developed in consultation with state and local officials; and
- Consist of performance indicators for drug- and violence-prevention programs and activities and levels of performance for each indicator.

In addition, each state is required to establish a uniform management and reporting system for collecting information on school safety and youth drug use. States are required to include incident reports by school officials and anonymous student and teacher surveys in the data they collect.

Under the state grant program, states must report to the U.S. Department of Education every two years on:

- Implementation and outcomes of SDFS programs-including an assessment of effectiveness;
- Progress toward attaining state performance measures for drug and violence prevention;
- Efforts to include parents in drug- and violence-prevention activities; and
- Data on the incidence and prevalence, age of onset, perception of health risk, and perception of social disapproval of illegal drug use and violence by youths in schools and communities.

The U.S. Department of Education is required to conduct an evaluation of the impact of SDFS-funded and other drug- and violence-prevention programs. This should focus on whether district and community programs comply with the Principles of Effectiveness. The report should ask whether or not the programs have appreciably reduced the level of youth illegal drug, alcohol, and tobacco use. Programs must also reduce school violence, and the illegal presence of weapons in schools. The evaluation should note if schools have conducted effective parent involvement and training programs. The National Center for Education Statistics is required to collect data on the incidence and prevalence of illegal drug use and violence in schools.

Key Activities For The State Education Agencies

State education agencies must:

- Develop their application with the governor's office and parents and community members.
- Conduct a needs assessment and establish and track progress on program performance measures.
- Develop uniform management and reporting systems for information on school safety and youth drug use.
- Conduct evaluations and collect information from districts and other grantees to provide information for reports.

National Programs Initiatives

A number of discretionary initiatives, many of which are new or revised, compose the national programs initiatives.

- **Hate Crime Prevention.** This authorization is for grants to districts and community organizations to assist localities most directly affected by hate crimes in activities such as developing education and training programs to prevent hate-motivated crimes and conflicts and improve the conflict-resolution skills of students and school staff. Congress has not appropriated funds for this program.
- **National Coordinator Program.** Grants are available to districts for hiring and training drug-prevention and school-safety coordinators in schools with significant drug and safety problems. This program was formerly restricted to middle schools but now has been expanded to include all elementary and secondary school levels.
- **Community Service Grant Program.** Formula grants are available to states to carry out programs under which students expelled or suspended from school are required to perform community service.
- **School Security Technology and Resource Center.** This authorization is for the departments of Education, Justice and Energy to establish a resource center to provide districts with technical assistance on school security, including security assessments and implementation of technology, and to conduct related research and data collection. Congress has not appropriated funds for this program.
- **National Center for School and Youth Safety.** This authorization is for the departments of Education and Justice to establish a center to carry out activities related to school safety, including emergency response, an anonymous student hotline, consultation, and information and outreach. In disseminating materials on school safety, the center is to give special attention to providing outreach to rural and impoverished communities. Congress has not appropriated funds for this program.
- **Grants to Reduce Alcohol Abuse.** Competitive grants are available to districts to develop and implement programs to reduce alcohol abuse in secondary schools.
- **Mentoring Programs.** Grants are available to districts and community groups for mentoring programs for children who are at risk of educational failure, dropping out of school, or involvement in criminal or delinquent activities, or who lack strong positive role models. The programs must be designed to link these children-particularly those living in rural areas, high-crime areas, or troubled home environments or those experiencing educational failure-with trained mentors. Funds may be used for activities such as hiring and training coordinators, and recruiting, screening, and training mentors but may not be used to compensate mentors.

Title IV, Part A, Subpart 3

Gun-Free Requirements

Purpose

The Gun-Free Schools Act requires each state that receives funds under the Elementary and Secondary Education Act (ESEA) as amended by the No Child Left Behind Act (NCLB) to have in effect a state law requiring districts to expel for at least one year any student who brings a gun to school or possesses a gun in school. This requirement not only removes potentially dangerous students from the school environment but also provides a deterrent, discouraging other students from bringing firearms to school. Over time, this has the potential to make the school environment safer by reducing the number of firearms present in schools.

Overall, 55 states and territories provided information about their implementation of the Gun-Free Schools Act for the 1998-99 school year. These states reported that they expelled a total of 3,523 students from school for bringing in a firearm to school. [One state however, reported data for total expulsions for all weapons-not just firearms-and therefore the figures reported by this state may overestimate the actual number of expulsions under the Gun-Free Schools Act.] States reported that 44 percent of the students they expelled were referred to an alternative school or placement.

Fifty-seven percent of the expulsions were students in high school, 33 percent were in junior high, and 10 percent were in elementary school. States were asked to report the type of firearm involved, and of these, 59 percent were for bringing a handgun to school, 12 percent were for bringing a rifle or shotgun, and 29 percent were for some other type of weapons (such as bombs, grenades, or starter pistols).

States reported that 27 percent of expulsions were shortened to less than one year, and 72 percent of these shortened expulsions were for students who were not considered disabled.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Clarifies what is prohibited.** The law now clarifies that students must be expelled for possessing a gun in school, not just for bringing a gun to school.
- **Requires that modified expulsions be recorded.** Districts are still able to modify student expulsions on a case-by-case basis, but that modification must now be in writing.
- **Allows certain exceptions.** Exceptions to the expulsion requirement are now expressly allowed in two cases: firearms that are lawfully stored inside a locked vehicle on school property, and firearms that are brought to school or possessed in school for activities approved and authorized by the district, if the district adopts appropriate safeguards to ensure student safety.

How It Works

This provision requires states to prohibit students from bringing firearms to school or possessing firearms in school, with "school" being defined as any setting under the control and supervision of the district for the purpose of authorized student activities. A definition of "firearm" is provided by reference to another statute and includes not only guns but also other dangerous devices such as bombs, rockets, and grenades. Districts must expel offending students from their regular school for at least one year, although this requirement must be construed in a manner consistent with the Individuals with Disabilities Education Act, and expelled students may be provided with educational services in an alternative setting. Districts may choose to modify these expulsions-in writing-on a case-by-case basis. Districts are also required to refer offending students to the criminal justice or juvenile delinquency system.

How Performance Is Measured

The U.S. Department of Education issues a report annually on the number of expulsions nationally, including changes over time for each state.

Key Activities For The State Education Agencies

- States must have in effect a law that meets the requirements of the Gun-Free Schools Act.
- State education agencies (SEAs) must require districts to include in their applications for funds under ESEA as amended by the NCLB Act an assurance that they are in compliance with the law.
- SEAs must collect from districts information on any expulsions that are made under the law, and must report that information to the U.S. Department of Education annually, including the name of the school concerned, the number of students expelled from each school, and the type of firearms involved.

Title IV, Part B

21st Century Community Learning Centers

Purpose

The 21st Century Community Learning Centers program provides services, during non-school hours or periods, to students and their families for academic enrichment, including tutorial and other services to help students, particularly those who attend low-performing schools, to meet state and local student academic achievement standards.

The Census Bureau has estimated that in 1995, 6.9 million children ages 5 to 14 were in self-care for an average of six hours a week. Self-care was more common for older children, but because rates of juvenile delinquency are highest in the hours after school and substance abuse and other undesirable behaviors often occur after school, after-school programs can provide adult-supervised, constructive activities for older and younger children. After-school programs also provide additional opportunities for targeted instruction and academic enrichment to support current efforts to close the achievement gap between racial or ethnic groups and between male and female students.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Focuses services on promoting students' academic achievement after school.** Academic services to assist students in meeting state and local academic achievement standards in core academic subjects are highlighted, although other activities are allowed under the law.
- **Requires programs to meet principles of effectiveness.** A program must be based on an objective assessment of the need for before- and after-school programs (including summer school programs) and activities in schools and communities; an established set of performance measures aimed at ensuring quality academic enrichment opportunities; and, if appropriate, scientifically based research that provides evidence that the program will help students meet state and local academic achievement standards.

Reduces Bureaucracy and Increases Flexibility

- Transfers program administration from the national level to the state level. Program administration is being changed from a federal discretionary grant program to school districts to a federal formula grant program (based on Title I) to the states, which then competitively award funds to eligible entities through a discretionary grant program.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Reduces Bureaucracy and Increases Flexibility (cont.)

- **Extends the duration of grant awards and allows states to require a local match.** In the past, grants have been for three years. States now can make awards from three to five years, and may require local entities to match funds.

Increases Accountability for Student Performance

- **Requires a comprehensive evaluation of the program and activities** either directly or through a grant or contract. States are required to describe the performance indicators and performance measures that they will use to periodically evaluate and monitor local programs and to disseminate the results of these evaluations to the public.

Empowers Parents

- **Designates more entities as eligible to meet parents' needs.** The requirement of exclusive eligibility for public schools is lifted so that school districts, community- and faith-based organizations, local governments, and other public or private entities are eligible to become grantees.

Closes the Achievement Gap for Disadvantaged Students

- **Targets services for students in schools eligible for Title I schoolwide projects or schools that serve a high percentage of students from low-income families.** A funding priority has been established for projects that serve students in schools in need of improvement and that are submitted jointly by at least one district and one community-based organization

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How It Works

The new 21st Century program is a state-administered discretionary grant program in which states hold a competition to fund academically focused after-school programs. While the focus is on improving students' academic achievement, other activities associated with youth development, recreation, the arts, and drug prevention, as well as literacy services for parents, are permitted. In addition to districts, community- and faith-based organizations, and government entities, as well as other public or private entities, may apply for these funds individually or jointly with school districts.

Key Requirements

State education agencies (SEAs) must submit an application for funding to the U.S. Department of Education that includes a plan for how they will run their competition, how they will select grantees, and how they will provide training and technical assistance. In addition, they must describe how grantees will be monitored and evaluated. They also must undertake these congressionally specified activities:

- Ensure that awards serve students who primarily attend schools eligible for schoolwide programs under Section 1114 of ESEA or schools that serve a high percentage of students from low-income families and their families.

- Ensure that funded community learning centers will be sustained after the grant period.
- Ensure that the transportation needs of participating students will be addressed.
- Ensure that children's needs are met by involving a wide array of groups in the application process, including appropriate state officials (e.g., the chief state school officer, officials of other state agencies administering before- and after-school programs, and the heads of the state health and mental health agencies or their designees) and representatives of teachers, parents, students, the business community, and community-based organizations.

How It Achieves Quality

Congress required programs to be based upon:

- An assessment of objective data regarding the need for before- and after-school programs (including summer school programs) and activities in schools and communities;
- An established set of performance measures aimed at ensuring quality academic enrichment opportunities; and
- If appropriate, scientifically based research that provides evidence that the activities will help students meet state and local academic achievement standards.

How Performance Is Measured

States will be required to report on progress in meeting state and local academic achievement standards in reading and mathematics for regular participants in a 21st Century Community Learning Centers program.

Key Activities For The State Education Agencies

State education agencies must:

- Evaluate the effectiveness of programs and activities of 21st Century Community Learning Centers.
- Create and implement program planning and monitoring guidelines for grantees (e.g., allowable activities, program priorities, Principles of Effectiveness, community involvement, reporting requirements, etc.).
- Establish performance indicators.

Title IV, Part C

Environmental Tobacco Smoke

Purpose

The Pro-Children Act of 2001 prohibits smoking in buildings used to provide children under 18 with regular or routine health care, day care, education, or library services. This requirement protects the health of children from the potentially deadly effects of breathing tobacco smoke. Each year, an estimated 3,000 nonsmoking Americans die of lung cancer and up to 300,000 children suffer from respiratory tract infections because of exposure to second-hand smoke. Evidence also indicates that exposure to second-hand smoke causes heart disease.

The prohibition also ensures that children will not witness adult role models such as teachers and caregivers smoking. Cigarette smoking is responsible for more than 400,000 deaths each year in the United States or one in every five deaths. If current patterns of smoking persist, more than five million people currently younger than 18 will die prematurely from a tobacco-related disease.

How It Works

This provision generally covers children's services that are funded directly or through the U.S. Department of Education, the Department of Health and Human Services (HHS), and the Department of Agriculture Special Supplemental Nutrition Program for Women, Infants, and Children. It applies to states, counties, school districts, state and local agencies, schools, and any individual, corporation, or partnership that owns, operates, controls, or provides children's services. It does not apply to private homes or parts of buildings used to provide inpatient treatment for drug and alcohol addiction.

Administrative compliance orders and civil penalties, not to exceed $1,000 per violation, may be imposed by HHS for a violation, with each day of non-compliance considered a separate violation.

Key Activities For The State Education Agencies

States and their subdivisions (including districts and schools) must prohibit smoking in buildings that provide children's services.

Title V, Part A

Innovative Programs

Purpose

The Innovative Programs State Grants assist local education reform efforts that are consistent with and support statewide reform efforts. They also support state and local efforts to implement promising education reform programs, provide a continuing source of innovation and educational improvement, help meet the special education needs of at-risk and high-need students, and support programs to improve school, student, and teacher performance.

WHAT'S NEW – The No Child Left Behind Act

Increases Accountability For Student Performance

- **Requires an annual achievement report.** States are now required to submit an annual statewide summary of how the program is improving student achievement or improving the quality of education for students.

Reduces Bureaucracy and Increases Flexibility

- **Increases aid to school districts.** States must distribute 100 percent of the funds that they receive beyond what they received in FY 2002 to districts. For small states, at least 50 percent of those funds must be distributed to districts. This ensures that funding reaches the schools and teachers closest to students rather than state offices.

How It Works

Funds are allocated by formula, based on states' relative share of the school-age population, with each state receiving a minimum of one-half of one percent. States must award subgrants of at least 85 percent of their funds to districts based on the relative enrollments in public and private schools. State education agencies (SEAs) may use their share of program funds for supporting school choice options, school renovations, technology, or implementing other state reforms.

How It Achieves Quality

The Innovative Programs State Grants program provides SEAs and districts with additional funding to support high-quality, innovative educational programs. Funding can be used in a broad range of areas to improve academic achievement and the quality of education for students, to improve teacher quality, and to improve school performance.

How Performance Is Measured

The district must conduct an annual evaluation that describes how the programs that it supported affected student academic achievement.

Key Activities For The State Education Agencies

State education agencies must:

- Submit an annual statewide summary to the U.S. Department of Education based on evaluation information submitted by districts.
- Allocate funds to districts, provide technical assistance to districts, and carry out state-level innovative programs.

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Title V, Part B, Subpart 1

Public Charter Schools

Purpose

Charter schools developed in the early 1990s to offer increased local control of education, to allow educators the flexibility to innovate, and to provide students increased educational options within the public school system. The theory behind charter schools is that these alternative programs will provide educational options to students that are not available within the traditional public school system. At the same time, as public schools compete to enroll students, all schools feel pressure to improve the quality of the educational services they provide. In fact, school choice is a key provision of the Title I accountability provisions in No Child Left Behind. This gives parents and students the right to transfer from a school in corrective action to a public school (including a charter school) that provides a higher-quality education. As of 2002, 36 states, the District of Columbia, and Puerto Rico have charter school laws. There are roughly 2,400 charter schools in 34 states, serving 575,000 students. The Public Charter School Program is designed to provide financial assistance for the planning, design, or initial implementation of charter schools and to evaluate the effects of such schools.

WHAT'S NEW – The No Child Left Behind Act

Empowers Parents

- **Provides flexible funding for use of administrative fees.** School districts can no longer withhold administrative fees, unless the charter school voluntarily enters into an arrangement to receive administrative services from the district.

How It Works

The Public Charter School Program provides competitive grants for both states and individual charter schools. Eligible state education agencies (SEAs) may apply to the U.S. Department of Education. (If the state elected not to apply or the application was denied, individual charter schools in that state may apply directly to the Department.) Grants are available for planning, program design, implementation, or dissemination.

State education agencies are eligible for this funding if their state has a charter school law. SEAs make competitive grants to individual charter schools in order to implement or plan a new charter school. SEAs may use 10 percent of their grants to make dissemination subgrants to successful charters to assist other schools in adapting the charter school's program or to disseminate information about the charter school.

Key Requirements

A state education agency must demonstrate the contribution that the charter schools grant program will make in assisting educationally disadvantaged and other students in meeting the state's academic standards.

The Department gives priority to states that demonstrate progress in increasing the number of high-quality charter schools that are held accountable in their charter for meeting clear and measurable objectives for the educational progress of their students. Finally, states receive priority if they:

- Provide for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years;
- Provide for one authorized public chartering agency that is not a district or allows for an appeals process for the denial of applications for a charter school; and
- Ensure that each charter school has a high degree of autonomy over its budget.

Key Activities For The State Education Agencies

State education agencies must:

- Establish procedures and guidelines for administering a competitive subgrant program.
- Determine eligible subgrantees and funding guidelines.
- Create and implement program planning and monitoring guidelines for grantees.

Title V, Part B, Subpart 2

Credit Enhancement Initiatives to Assist Charter Schools Facility Acquisition, Construction, and Renovation

Purpose

Charter schools, in general, are newly created organizations. These new schools face considerable financial burdens to obtain facilities for providing educational services. Most charter schools rent space and older charter schools are beginning to buy and renovate buildings. In both cases, district and state allocations generally do not cover facilities costs. Even when these costs are covered, charter schools rarely receive funding commensurate with the support provided for traditional public schools. This program helps charter schools with the costs of acquiring, constructing, and renovating facilities through innovative credit enhancement initiatives.

WHAT'S NEW – The No Child Left Behind Act

Empowers Parents

- **Increases choice among public schools.** This program aims to increase the number of charter schools and increase the capacity of existing charter schools to meet the demand of parents seeking alternate public schools.

Reduces Bureaucracy and Increases Flexibility

- **Extends the eligibility for grants.** The new legislation differs from the previous Charter Schools Facilities Financing Demonstration program in that it no longer requires "one-time" grants.

How It Works

The U.S. Department of Education awards grants to defray the cost of acquiring, constructing, and renovating facilities through a competitive process to private, nonprofit organizations, public entities, or consortia including both types of entities. State education agencies may apply as a public entity or enter into a consortium with a nonprofit entity or another public entity. Grantees may reserve one-quarter of 1 percent of the grant for administrative costs. The remainder must be deposited in a reserve account and used to guarantee or insure debt used to finance charter school facilities, to guarantee and insure leases of personal and real property, and assists charter schools facilities financing through such activities such as identifying potential lending sources and encouraging private lending. It facilitates bond issues by charter schools or other public entities for the benefit of charter schools.

The grant recipients are expected to identify charter schools that will benefit from leveraged grant funds, either before or after receiving the award.

Key Requirements

Grant recipients must:

- Identify the activities proposed, including how the eligible entity will determine which charter schools will receive assistance, and how much and what types of assistance charter schools will receive;
- Describe the involvement of charter schools in the application's development and the design of the proposed activities;
- Document the applicant's expertise in capital market financing;
- Describe how the proposed activities will leverage the maximum amount of private-sector financing relative to the amount of government funding, and enhance credit available to charter schools;
- Document that the applicant possesses sufficient expertise in education to evaluate the likelihood of success of the charter school program for which facilities financing is sought; and
- In the case of an application submitted by a state government agency, describe the actions that it will take to ensure that charter schools within the state receive the funding needed for adequate facilities.

How Performance Is Measured

Grant recipients are required to submit annual financial and progress reports to the U.S. Department of Education. The Department may revoke funds if grantees fail to make substantial progress in carrying out the grant purposes.

Title V, Part B, Subpart 3

Voluntary Public School Choice

Purpose

According to the 1993 National Household Education Survey, most American families choose their child's school. While 20 percent of parents chose a school other than the public school assigned to their residential neighborhood, an additional 39 percent of families claim they chose their neighborhood for its public school. In effect, 59 percent of American families are making conscious choices about which school best suits their needs. Nearly every state has some type of choice plan, either allowing families to choose a public school within a district, across the state, or among charters or magnet schools. The Voluntary Public School Choice program helps states and local school districts implement public school choice policies by providing funds for transportation, tuition transfer payments to the schools that students choose to attend, increasing the capacity of high-demand schools to serve greater numbers of students, and disseminating information about open-enrollment options.

WHAT'S NEW – The No Child Left Behind Act

Increases Accountability for Student Performance

- **Requires evaluation of effects.** The U.S. Department of Education will evaluate: (1) the extent to which the programs funded promote educational equity and excellence; (2) the characteristics of participating students; and (3) the effect of the program on the academic achievement of students participating in the program, particularly students who move from low- to higher-performing schools, and on the overall quality of participating schools and districts.

Empowers Parents

- **Provides options for parents in low-performing schools.** The act provides a priority for applicants whose program would provide the widest variety of choices and a program that would have the greatest impact on students in low-performing schools by providing an education for them in a more rigorous educational setting found in a higher-performing school.

How It Works

The Voluntary Public School Choice program authorizes competitive awards to state education agencies (SEAs), school districts, or partnerships that include an SEA or a district and another organization. Funding is available to establish or expand programs that provide students and parents with greater public school choice. Grants are for up to five years, and grantees may use up to one year for planning or program design.

Key Requirements

States and districts document their public school choice program; how and when parents will be notified of the program; how students will be selected for participation; and how the program will be coordinated with other federal and nonfederal projects. Grantees must provide transportation to participating students. Priority is given to projects that:

- Provide the widest variety of choices to all students in schools participating in the program;
- Have the greatest impact in allowing students in low-performing schools to attend higher-performing schools; and
- Implement an interdistrict public school choice program.

When more students apply than can be accommodated, the plan must select students to participate on the basis of a lottery.

How It Achieves Quality

Not only are parents able to choose high-quality programs for their children, but the competition among schools to attract students is designed to result in higher-quality education programs in all schools. In addition, accountability provisions in No Child Left Behind require that students in low-performing schools have the options of choosing another school that can provide a higher-quality education.

How Performance Is Measured

The U.S. Department of Education will evaluate whether SEAs have public school choice plans that include: (1) the extent to which programs promote educational equity and excellence; (2) the characteristics of participating students; and (3) the programs' effects on the academic achievement of participating students, particularly those who move from low- to higher-performing schools, and on the overall quality of participating schools and districts.

Key Activities For The State Education Agencies

State education agencies:

- With approved applications must disseminate information about public school choice not in other program sections.
- With approved applications must create and implement program planning and monitoring guidelines for grantees.

Title V, Part C

Magnet Schools Assistance

Purpose

The Magnet Schools Assistance Program (MSAP) provides grants to establish and operate magnet schools in school districts that are under a court-ordered or federally approved voluntary desegregation plan to eliminate, reduce, or prevent minority group isolation in elementary and secondary schools. For nearly four decades, magnet schools have been an important element in American public education, offering innovative programs not generally available in local schools and providing opportunities for students to learn in racially diverse environments. A recent study of 1998 MSAP grantees found that the funding provided by MSAP enabled magnet projects to support planning and promotional activities related to their academic programs and services; add specially hired staff to support and enhance school instruction; and provide focused training in program areas or educational methods for teachers and other staff.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Supports federal technical assistance and dissemination of successful programs.** Expands national activities to include technical assistance and dissemination activities. Requires the U.S. Department of Education to collect and disseminate information on successful magnet school programs.
- **Builds a grantee's capacity to operate magnet school programs.** Expands the uses of funds to include professional development in order to build capacity to operate magnet school programs after the grant period has ended.

Reduces Bureaucracy and Increases Flexibility

- **Provides more flexibility in administering magnet school programs.** A district may use their grant to serve students who are not enrolled in the magnet program.
- **Increases flexibility in designing magnet schools.** Enables grantees to have flexibility in designing magnet schools for students in all grades.
- **Allows more funds to be used for planning.** Increases the cap on the amount of funds that may be used for planning, from 10 percent to 15 percent in a project's third year.

How It Works

The Magnet Schools Assistance Program is a discretionary grant program that awards funds to school districts (or consortia of districts) to support magnet schools that are part of an approved desegregation plan and that are designed to bring students from different social, economic, ethnic, and racial backgrounds together. An applicant's desegregation plan may be either a required plan (for example, a plan required by a federal court) or a voluntary plan that has been adopted by the applicant and approved by the secretary of education as adequate under Title VI of the Civil Rights Act of 1964. Funding priority will be given to applicants that demonstrate the greatest need for assistance, propose to carry out new or significantly revised magnet school programs, and propose to select students to attend magnet school programs by methods such as a lottery, rather than through academic examination.

Key Requirements

Districts (or a consortium of local school districts) that receive an award must use it to reduce, eliminate, or prevent minority group isolation, increase student academic achievement, continue the magnet school program after assistance is no longer available, and implement services to improve the academic achievement of all students attending the magnet school program. Grantees also must undertake congressionally specified activities such as employing highly qualified teachers, encouraging greater parental decision-making and involvement, and providing equitable consideration for placement in the program.

How It Achieves Quality

In their application for program funds, applicants must ensure that they will employ highly qualified teachers, and carry out a high-quality education program that will encourage greater parental decision-making and involvement. Furthermore, program funds used to employ teachers and acquire books, materials, and equipment. Funds may be spent on supporting activities that are directly related to improving student academic achievement based on the state's challenging academic content standards and student achievement standards or activities that are directly related to improving student reading skills or knowledge of mathematics, science, history, geography, English, foreign languages, art, or music. Funds may be spent on activities to improve vocational, technological, and professional skills.

Title V, Part D, Subpart 2

Elementary and Secondary School Counseling

Purpose

The Elementary and Secondary School Counseling programs provide grants to help school districts establish or expand counseling programs in elementary schools and, if the appropriation for the program exceeds $40 million in any fiscal year, the program may be expanded to secondary schools. School counseling services can contribute to the personal growth, educational development, and emotional well-being of students. Research suggests that high-quality counseling services can have long-term effects on a child's well-being and can prevent a student from turning to violence and drug or alcohol abuse. High-quality school counseling services also can improve a student's academic achievement. Studies on the effects of school counseling have shown positive effects on students' grades, reducing classroom disruptions, and enhancing teachers' abilities to manage classroom behavior effectively. High-quality school counseling services also can help address students' mental health needs.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Focuses on innovative and promising approaches.** Districts are required to provide services that use innovative approaches. Applicants who propose the most promising and innovative approaches and show the greatest potential for replication and dissemination will receive special consideration for awards.

Reduces Bureaucracy and Increases Flexibility

- **Includes secondary schools.** Previously, the program only supported services for elementary schools. Now, secondary schools can be included if funding for the program exceeds $40 million annually.
- **Expands the list of professionals who may provide counseling services.** In addition to school counselors, school social workers, and school psychologists, the law now allows other qualified psychologists and child and adolescent psychiatrists to receive payment from program funds.
- **Expands the settings for services.** Districts are now required to provide counseling in settings that meet the range of student needs, not just in schools.

How It Works

This discretionary grant program authorizes the U.S. Department of Education to award grants directly to districts to establish or expand student counseling programs. Special consideration for awards must be given to applicants who demonstrate the greatest need for new or additional counseling services, propose the most promising and innovative approaches, and show the greatest potential for replication and dissemination. In addition, grants must be equitably distributed among geographic regions and among urban, suburban, and rural districts.

Key Requirements

This program will support the hiring and training of qualified school counselors, school psychologists, child and adolescent psychiatrists, and school social workers for schools. The program also provides greater student access to beneficial counseling services and helps identify effective strategies for providing student counseling services that show potential for replication and dissemination.

Each grantee must implement a program that is comprehensive in addressing the counseling and educational needs of all students. Programs must increase the range, availability, quantity, and quality of counseling services in schools. They should expand counseling services through qualified personnel and use innovative approaches to increase children's understanding of peer and family relationships, work and self, decision-making, or academic and career planning. Programs may improve peer interaction and provide counseling services in settings that meet the range of student needs. Programs also may include in-service training for teachers, instructional staff, and appropriate school personnel, including training in appropriate identification and early intervention techniques. Programs must involve parents of participating students in the design, implementation, and evaluation of counseling programs and also involve community groups, social service agencies, or other public or private entities in collaborative efforts to enhance the program and promote school-linked integration of services.

How It Achieves Quality

Districts must use their grants to establish or expand counseling programs that are innovative, comprehensive, use a developmental, preventive approach, and increase the quality and quantity of counseling services in their schools. Given the many conflicting demands on school staff time, the requirement that counseling professionals paid with program funds must spend the majority of their time counseling students or in other directly related activities will maximize the time that staff spend directly serving students. Moreover, the law requires grantee districts to work toward specified ratios of counseling staff to students, using the recommendations of the American School Health Association, to ensure that sufficient counseling services are available to meet student needs. Districts also must provide in-service training, hire staff that meet specific qualifications, and evaluate the effectiveness of their services.

How Performance Is Measured

Districts must work toward staff-to-student ratios of one school counselor to 250 students, one school social worker to 800 students, and one school psychologist to 1,000 students. The U.S. Department of Education is required to prepare a report that evaluates grantees' counseling programs and provides information from grantee districts on the ratios of counseling staff to students.

Title V, Part D, Subpart 3

Partnerships in Character Education

Purpose

The Partnerships in Character Education program provides grants to design and put into practice instruction about aspects of character such as citizenship, justice, respect, responsibility, trustworthiness, and giving. Character education, especially when it is integral to a school's curriculum and culture and involves collaboration among school staff, parents, and key members of the community, can be effective in improving the school environment.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Requires use of research.** Applicants must provide information that demonstrates that their program has clear objectives that are based on scientifically based research.
- **Supports research.** The U.S. Department of Education may use up to 5 percent of program funds for national activities—including research, development, dissemination, technical assistance, and evaluation, to gather information on effective character education practices and to share that information with grantees.

Reduces Bureaucracy and Increases Flexibility

- **Eliminates restrictions on awards.** Eligibility has been extended beyond state education agencies (SEAs), in partnership with districts or nonprofit groups or colleges, to also include districts, which may partner with other districts or nonprofit groups or colleges. Private school children and teachers are authorized to participate. Restrictions on the number of grants that can be made and the total amount of funding each grantee may receive have been lifted.
- **Eliminates requirements for state clearinghouses.** Although grantees are no longer required to develop their own clearinghouses, the U.S. Department of Education may establish a national clearinghouse to provide information on model programs and research findings related to character education.

How It Works

This discretionary grant program authorizes the U.S. Department of Education to award grants to districts, partnerships of states with districts, and partnerships of either districts or states with nonprofit organizations, including colleges. The Department may require grantees to provide matching funds, with a sliding scale based on poverty and the ability to obtain matching funding.

Key Requirements

States and other grantees must implement character education programs that have research-based objectives. In determining the elements of character to include in their programs, grantees may select any elements they deem appropriate, but must consider the views of parents and students in making their selection, and any curricula, materials, and other activities developed under the grant must be secular. Grantees also must link the program with education reform efforts and state content standards.

How It Achieves Quality

In addition to requiring that applicants base their programs on research, grantees must conduct comprehensive evaluations of their programs (due at the end of the second year of the grant and no later than one year after the conclusion of the grant period) that address the impact on all students, students with disabilities, teachers, administrators, parents, and others.

How Performance Is Measured

The law specifies that the following factors may be considered in evaluating the success of grantees' character education programs: discipline issues, student academic achievement, participation in extracurricular activities, parental and community involvement, faculty and administrative involvement, student and staff morale, and improvements in school climate.

Key Activities For The State Education Agencies

State education agency grantees must:

- Form partnerships with one or more school districts or nonprofit organizations, including colleges.
- Evaluate their programs annually and report their findings to the U.S. Department of Education.

Title V, Part D, Subpart 4

Smaller Learning Communities

Purpose

Several studies have concluded that students attending smaller high schools are more engaged and, consequently, experience higher levels of attendance, academic achievement, and involvement in extracurricular activities. Whether large high schools can be restructured to achieve the same results has been less frequently examined. This program supports local efforts to create smaller learning communities within large high schools.

How It Works

This competitive grant program provides grants to school districts to create smaller learning communities in large high schools.

Key Requirements

Grantees may use their funding for a wide range of activities including: (1) studying the feasibility of creating smaller learning communities; (2) researching, developing, and implementing strategies for creating smaller learning communities; (3) providing professional development for school staff in innovative teaching methods that can be used in smaller learning communities; and (4) developing and implementing strategies to involve parents, business representatives, and community organizations in activities of the smaller learning communities so that teachers may pursue professional development opportunities and to provide links between students and the community.

How It Achieves Quality

Previous research suggests that students in smaller schools perform better on several indicators than students in large schools. This occurs, it is argued, because smaller schools offer a more personal learning environment that is better able to engage students. The smaller learning communities program attempts to replicate the qualities of smallness in larger high schools. It supports strategies to (1) restructure the high school by creating academies, houses, schools-within-a school, and (2) engage students through teacher advisors, mentoring, alternative scheduling, and other innovations designed to personalize high school and thereby, improve student achievement.

How Performance Is Measured

School improvement is measured by tracking changes in test scores, attendance, graduation rates, and student course-taking.

Title V, Part D, Subpart 5

Reading Is Fundamental-Inexpensive Book Distribution

Purpose

The Reading Is Fundamental (RIF)-Inexpensive Book Distribution Program provides assistance to local nonprofit organizations and to public agencies for reading motivation programs, including the distribution of inexpensive books to promote reading.

Consistent access to books and other reading materials can increase children's motivation to read and help them keep up academically with their peers. Children who begin school without access to literacy-rich environments at home are at a significant disadvantage compared to other children.

WHAT'S NEW – The No Child Left Behind Act

Reduces Bureaucracy and Increases Flexibility

- **Allows more flexible funding.** Organizations operating the program in low-income areas that serve special-needs children may use other federal funds to pay up to 50 percent of the nonfederal share of the program. In addition, RIF may waive the nonfederal share requirement for organizations if the organizations would not be able to participate otherwise.

How It Works

The RIF-Inexpensive Book Distribution program provides a noncompetitive direct grant to Reading Is Fundamental, a nonprofit organization. This program is run as a public-private partnership, with the federal share covering 75 percent of the costs of purchasing books (except for programs serving children of migrant parents, where all funding is federal), and the private share covering 25 percent. RIF enters into subcontracts with local nonprofit organizations or public agencies to provide books to children from birth through high school age. Priority is given to programs that serve a significant number or percentage of children with special needs, including low-income children, children at risk of school failure, children with disabilities, foster children, homeless children, migrant children, children without access to libraries, institutionalized or incarcerated children, and children whose parents are institutionalized or incarcerated

Title V, Section D, Subpart 6

Gifted and Talented Students

Purpose

The Jacob K. Javits Gifted and Talented Students Education Act supports research, demonstration projects, innovative strategies, and similar activities to help elementary and secondary schools meet the special educational needs of gifted and talented students. Outstanding talents are present in children and youths from all cultural groups, across all economic strata, and in all areas of human endeavor. Programs for gifted and talented students exist in every state and in many school districts, but the number and percentage of students identified as gifted and talented vary from state to state due to differences in state laws and local practices.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Supports scientifically based research.** The statute now requires that research supported by the program be scientifically based.

Reduces Bureaucracy and Increases Flexibility

- **Includes dissemination of high-level course work through technology as an allowable activity.** Funds now may be used for technology to disseminate challenging course work to students in schools or districts that otherwise are unable to provide such instruction.

How It Works

This discretionary program authorizes the U.S. Department of Education to award grants and enter into contracts with state education agencies (SEAs), local school districts, institutions of higher education, other public agencies, and other private agencies and organizations (including Indian tribes and organizations and Native Hawaiian organizations). Funds can be used for programs and projects to meet the educational needs of gifted and talented students, for the training of personnel, and for serving all students using services, materials, and methods developed for gifted and talented students. The program also provides for the establishment of a National Research Center for the Education of Gifted and Talented Children and Youth, through grants to, or contracts with, one or more institutions of higher education, SEAs, or a combination or consortium of such institutions and agencies and other public or private agencies or organizations.

Key Requirements

Applicants must describe how their proposed services, materials, and methods can be adapted, if appropriate, for use by all students, and how the proposed programs can be evaluated. The U.S. Department of Education is required to give highest priority to programs and projects designed to develop new information that helps schools 1) establish and improve programs to identify and serve gifted and talented students, and 2) identify and serve gifted and talented students who are economically disadvantaged, have limited English proficiency, have disabilities, or otherwise may not be identified through traditional assessment methods.

How It Achieves Quality

Research supported by the program must be scientifically based, and program activities must be evaluated.

Title V, Part D, Subpart 7

Star Schools

Purpose

Distance learning can enrich regular classroom instruction and provide high-quality instruction in remote or high-poverty locations where students otherwise do not have access to specialized courses such as advanced placement courses. In addition to providing affordable access to learning opportunities, high-quality distance learning can produce learning gains at least as large as those from traditional instruction.

By 2000, nearly all public schools and 77 percent of their classrooms in the United States had access to the Internet. This ratio has steadily improved. Distance learning is increasingly widespread at all educational levels, including the emergence of "virtual schools" in many states.

The Star Schools Program encourages improved instruction in mathematics, science, foreign languages, literacy skills, vocational education, and other subjects. It emphasizes learning opportunities for underserved populations, including the disadvantaged, illiterate, limited English proficient, and individuals with disabilities through the use of telecommunications technologies.

How It Works

Applications are received from eligible statewide or multistate entities, which may include a public agency, corporation, or a partnership that includes three or more of the following entities: a school district, a state education agency, an adult and family education program, an institution of higher education, a teacher training center or academy, a public broadcasting entity, or a public or private elementary or secondary school. Funding is provided for such activities as development acquisition, maintenance and operation of telecommunications facilities, development and acquisition of live interactive instructional programming, and technical assistance for the use of such facilities and instructional programming.

Key Requirements

Applicants must propose high-quality plans that provide instruction consistent with state academic content standards or otherwise provide significant and specific assistance to states and districts undertaking systemic education reform.

A five-year grant must not exceed $10 million in any single fiscal year. At least a quarter of the total program funds must be used for instructional programming, and at least 50 percent of the available funds shall be used for the cost of facilities, equipment, teacher training or retraining, technical assistance or programming for districts eligible for Title I Grants to Local Educational Agencies. The federal share is capped at 75 percent for the first and second years, 60 percent for third and fourth years, and 50 percent for the fifth year.

How It Achieves Quality

The secretary of education may use up to 5 percent of funds for dissemination, evaluation and other activities that are designed to enhance the quality of distance learning.

Title V, Part D, Subpart 8

Ready To Teach

Purpose

Teacher preparation and professional development are important to increase student performance. Internet and other telecommunications-based professional development can provide research-based professional development on an ongoing basis to teachers in a variety of locations to help improve teaching and learning. For example, studies of educational technology effectiveness report that teacher expertise in using technology can substantially increase the learning gains associated with using the technology. While 80 percent of public school teachers reported in 1999 that they had access to training in use of the Internet, evaluations report that much of the current professional development is too short and not well integrated with ongoing instruction.

The Ready-To-Teach program provides grants to a nonprofit telecommunications organization or a partnership of such organizations to carry out national telecommunications-based programming to improve teaching in core curriculum areas. In addition, Digital Educational Programming Grants under this subpart support the development of educational programming that includes student assessment tools to provide feedback on student academic achievement.

How It Works

The Ready-To-Teach program provides grants to eligible entities on a competitive basis. The Digital Educational Programming Grants program requires a match of not less than 100 percent of the amount of the grant for three years. In addition, these grants support development of educational programming that includes student assessment tools to provide feedback on student academic achievement, with built-in teacher-support components to ensure that teachers understand and can use the programming for student instruction. Educational programming and materials are to be created for, or adaptable to, state academic content and achievement standards.

Key Requirements

Grantees will use public broadcasting, the Internet, and school digital networks where available, to deliver video and data in an integrated way. Grantees must train teachers to use materials and learning technologies to achieve challenging state academic content and achievement standards. In addition, grantees must ensure that the project will be conducted in cooperation with appropriate state education agency (SEA), school district, and state or local nonprofit public telecommunications entities. Grantees also must ensure that a significant portion of the benefits available to schools will be available to schools in districts that have a high percentage of children eligible for Title I Grants to Local Educational Agencies.

How Performance Is Measured

Grantees will prepare and submit to the U.S. Department of Education an annual report that, at a minimum, will describe activities undertaken, including core curriculum areas, the number of teachers using the program in each core curricular area, and the states in which teachers using the program are located.

Title V, Part D, Subpart 9

Foreign Language Assistance

Purpose

The Foreign Language Assistance program is designed to improve the quality and extent of foreign language instruction, particularly in the nation's elementary schools. The United States has an unprecedented need for individuals with highly developed competencies in languages other then English. Research funded by the European Union indicates that early language learning can have a positive effect on students with respect to fostering language skills, a positive attitude toward other languages and cultures, and increased self-esteem. In addition, research has shown that math and verbal SAT scores are higher with each additional year of foreign language study.

How It Works

The U.S. Department of Education offers competitive grants to state education agencies (SEAs) or school districts to pay the federal share of the cost of innovative model programs to establish, improve, or expand foreign language study for elementary and secondary school students. There are two types of grants-discretionary and incentive-that make up this program.

Key Requirements

Discretionary Grants. The discretionary provisions allow the U.S. Department of Education to make three-year grants to SEAs and districts to pay the federal share (50 percent unless a district waiver is granted) of the cost of innovative model programs to establish, improve, or expand foreign language study. Grants to SEAs support systemic approaches to improving foreign language learning in the state. Grants to districts support programs that show the promise of being continued beyond the grant period, demonstrate approaches that can be disseminated and duplicated in other districts, and may include a professional development component.

The Department will give special consideration to applications from SEAs and districts describing programs that:

- Include intensive summer foreign language programs for professional development;
- Link nonnative English speakers in the community with the schools in order to promote two-way language learning;

- Promote the sequential study of a foreign language for students, beginning in elementary schools;
- Make effective use of technology, such as computer-assisted instruction, language laboratories, or distance learning, to promote foreign language study;
- Promote innovative activities, such as foreign language immersion, partial foreign language immersion, or content-based instruction; and
- Involve a consortium comprised of the agency receiving the grant and an elementary or secondary school.

Incentive Grants. The incentive provisions authorize grants to any public elementary school that has a foreign language program comparable to providing at least 45 minutes of instruction for four days a week throughout an academic year. The incentive grants are calculated based on the number of participating students.

Title V, Part D, Subpart 10

Carol M. White Physical Education

Purpose

Although physical activity is vital for lifelong health and learning, large numbers of American students are overweight and engage in little physical activity. Physical education programs can contribute to developing the habits needed for healthy learning. Physical activity improves muscular strength and endurance, flexibility, and cardiovascular endurance, as well as serves as a vehicle that helps children establish self-esteem and strive for achievable, personal goals.

The 2001 *Surgeon General's Call to Action to Prevent and Decrease Overweight and Obesity* recommended in its "Priorities for Action" that: "Individuals and groups across all settings must work in concert to ensure daily, quality physical education in all school grades." Still, only one state (Illinois) mandates daily physical education, and 29 percent of K-12 students nationwide do not attend physical education.

The Carol M. White Physical Education Program awards grants and contracts to initiate, expand and improve physical education programs for all kindergarten through 12th-grade students.

How It Works

Grants are awarded to school districts and community-based organizations to pay the federal share of costs of initiating, expanding and improving physical education programs for kindergarten through 12th-grade students. Grants may be used to provide equipment and support for students so that they may participate actively in physical education activities. Funds also may be used to provide support for staff and teacher training.

Key Requirements

Grantees must initiate, expand, or improve physical education programs in order to make progress toward state standards for physical education.

How Performance Is Measured

Grantees are required to submit an annual report to the U.S. Department of Education that describes the activities undertaken, and the progress that is made toward meeting state physical education standards.

Title V, Part D, Subpart 11

Community Technology Centers

Purpose

Increasing community access to technology and opportunities to enhance technological proficiency supports learning inside and outside the classroom as well as broader community improvement. Access to computers and the Internet in the community is particularly important for low-income students and adults. In 2000, 21 percent of children used the Internet at home for school-related tasks, but many children and adults do not have access to computers and the Internet outside of school.

The Community Technology Centers program promotes the development of model programs that demonstrate the educational effectiveness of technology in urban and rural areas and economically distressed communities.

How It Works

Eligible applicants for these up-to three-year grants include nonprofit organizations, for-profit businesses, institutions of higher education, school districts, or consortia of these entities that have the capacity to significantly expand access to computers and related services for disadvantaged residents of economically distressed urban and rural communities who would otherwise lack such access.

Key Requirements

The federal share of the cost of any funded project cannot exceed 50 percent. Grantees must use funds to create or expand community technology centers and to evaluate the project's effectiveness.

How It Achieves Quality

Applicants must demonstrate the need for services, commitment to the project, and its sustainability. A plan for evaluation of the program, including benchmarks to monitor progress, is required.

How Performance Is Measured

The applicant's plan must include an evaluation with benchmarks to monitor progress toward specific project objectives. Grantees prepare and submit to the U.S. Department of Education an annual report that, at a minimum, describes activities undertaken and results.

Key Activities For The State Education Agencies

State education agencies may:

- Cooperate in implementing this program
- Submit applications for funding special initiatives where deemed appropriate.

Title V, Part D, Subpart 12

Educational, Cultural, Apprenticeship, and Exchange Programs for Alaska Natives, Native Hawaiians, and Their Historical Whaling and Trading Partners in Massachusetts

Purpose

This program develops culturally based educational activities, internships, apprenticeship programs, and exchanges to assist Alaska Natives, native Hawaiians, and children and families of Massachusetts linked by history and tradition to Alaska and Hawaii, to learn about shared culture and traditions.

How It Works

Grants or contracts are awarded to: the Alaska Native Heritage Center in Anchorage, Alaska; the Inupiat Heritage Center in Barrow, Alaska; the Bishop Museum in Hawaii; the Peabody-Essex Museum in Salem, Massachusetts; the New Bedford Whaling Museum and the New Bedford Oceanarium in New Bedford, Massachusetts; other Alaska Native and Native Hawaiian cultural and educational organizations; and other cultural and educational organizations.

Funds are used for educational programs to increase the understanding of cultural diversity and for programs that use modern technology to teach about the cultural and trading relationships among Alaska Natives, native Hawaiians, and the people of Massachusetts. In addition, the program encourages intergenerational cultural exchanges among the target populations to increase their awareness of the diverse cultures, as well as sharing collections among cultural institutions. Internship and apprenticeship programs in cultural institutions also may be funded.

Key Requirements

Grantees submit an application to the secretary of education, in accordance with the secretary's guidelines. Applicants are to inform the local school district serving students who will participate in the program.

Key Activities For The State Education Agencies

The state is involved in key activities only to the extent that the state education agency (SEA) may apply for a grant or contract. If awarded, the sea would be subject to the terms of the grant or contract.

Title V, Part D, Subpart 15

Arts In Education

Purpose

The Arts in Education program supports education reform by strengthening arts education as an integral part of the school curriculum. Its intent is to help all students meet challenging state academic content and achievement standards in the arts.

Children learn in many different ways. Findings from the NAEP 1997 Arts Report Card indicate that artistic experiences provide visual, kinetic, aural, and spatial learning. College Board data show that students who have participated in sequential arts programs perform significantly better on both the verbal and mathematics sections of the SAT than their nonparticipating peers.

How It Works

If funding is greater than $15 million, the Arts in Education program is authorized to provide assistance—either through discretionary grants, cooperative agreements, or contracts—to state education agencies, school districts, institutions of higher education, museums or other cultural institutions, and other public or private organizations. Arts education funds may be used for activities such as research on arts education, disseminating models of best practice, developing state arts education assessments based on a state's standards, or developing curriculum frameworks.

If funding is $15 million or less, direct noncompetitive grants are provided to the John F. Kennedy Center and Very Special Arts arts only.

Key Requirements

Grantees are required to coordinate to the extent practicable with public or private cultural agencies, institutions, and organizations such as museums, arts education associations, libraries, and theaters. They are also required to supplement and not supplant any other assistance made available from nonfederal sources for program activities.

Title V, Part D, Subpart 16

Parental Assistance Information Centers

Purpose

This program establishes school-linked or school-based parental information and resource centers that provide training, information, and support to parents, and to individuals and organizations that work with parents, to implement parental involvement strategies that lead to improvements in student academic achievement.

The research overwhelmingly demonstrates that parent involvement in children's learning is positively related to achievement. Further, the more intensively parents are involved in their children's learning, the more beneficial the achievement effects. This holds true for all types of parent involvement in children's learning and for all types and ages of students. Researchers also have found that the schools with the most successful parent involvement programs are those which offer parents a variety of ways to participate.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Requires grantees to use at least 30 percent of their awards** to establish, expand, or operate Parents as Teachers, Home Instruction Program for Preschool Youngsters, or other early childhood parent education programs. Because parents are their children's first and most influential teachers, these programs help train parents in positive parenting skills, and provide the information and support that parents need to give their child a solid foundation for school success.

Reduces Bureaucracy and Increases Flexibility

- **Authorizes centers to assist schools** in meeting the Title I parental involvement requirements, developing school improvement plans, and coordinating family involvement initiatives.

Focuses on Academic Standards

- **Emphasizes assisting parents** in participating effectively in their children's education so that their children will meet state and local academic standards.

How It Works

The U.S. Department of Education awards competitive grants to nonprofit organizations and consortia of nonprofit organizations and school districts to establish school-linked or school-based parental information and resource centers. Grants are to be distributed to all geographic regions of the United States. The first $50 million of the amount appropriated is to be used for parent information and resource centers. Any amount above $50 million is to be split evenly between the parent information and resource centers and the local family information centers.

Key Requirements

Organizations or consortia receiving assistance under this program report annually on:

- The number of parents who receive information and training, disaggregated by minority and limited English proficient status.
- The types of training, information, and support provided.
- The strategies used to reach and serve parents who are minority, limited English proficient, or have limited literacy skills.
- The parental involvement policies and practices used by the center and an evaluation of whether the policies and practices are effective.
- The effectiveness of the parental involvement activities of districts and schools on student achievement.

How It Achieves Quality

Each organization or consortium submits to the secretary of education information on the effectiveness of the parental involvement activities that districts and schools are carrying out that lead to improved student and school academic achievement.

How Performance Is Measured

The performance of the program is measured through the annual data reported by grantees.

Title V, Part D, Subpart 21

Women's Educational Equity

Purpose

This program provides financial assistance to enable educational agencies to meet the requirements of Title IX of the Education Amendments of 1972, and promotes educational equity for girls and women who experience multiple forms of discrimination based on gender, race, ethnic origin, limited English proficiency, disability, or age.

How It Works

The secretary of education awards competitive grants to public agencies, private nonprofit agencies, organizations, institutions, student groups, community groups, and individuals. At least two-thirds of the funds are used to award grants that focus on developing model equity programs, and on local implementation of gender-equity policies and practices at all educational levels. In addition, the U.S. Department of Education supports research and development activities that are designed to advance gender equity nationwide and to foster equitable policies and practices in educational agencies and institutions, as well as local communities.

Grants must address all levels of education in all regions of the United States, and in urban, rural, and suburban schools.

How It Achieves Quality

The secretary is to ensure that the program is administered within the Department by a recognized professional with qualifications and experience in the field of gender-equity education.

How Performance Is Measured

The secretary is to submit to the president and Congress a report on the status of educational equity for girls and women in the United States no later than January 1, 2006. In addition, no later than January 1, 2005, the secretary is to evaluate and disseminate materials and programs developed under the program, and report to Congress.

Title VI, Part A, Subpart 1

Improving Academic Achievement, Accountability, Grants for State Assessments and Enhanced Assessments

Purpose

The Grants for State Assessments and Related Activities program helps states develop the assessments required under No Child Left Behind and supports collaborative efforts with institutions of higher education or research institutions to improve the quality of assessments.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Facilitates identification of best practices.** Following the development of the required state assessments, formula grants may be used to develop statewide information and reporting systems designed to identify best educational practices based on scientifically based research.

Increases Accountability for Student Performance

- **Supports development of academic assessments required under Title I.** Following the development of the required state assessments, funds also may be used to develop multiple measures to increase the reliability and validity of state assessment systems; develop state standards and aligned assessments in academic subjects that are not required by No Child Left Behind; or develop or improve assessments of English language proficiency.

Empowers Parents

- **Allows dissemination of achievement information to parents.** Following the development of the required state assessments, formula grants may be used to improve the dissemination of information on student achievement and school performance to parents and the community.

How It Works

This new grant program uses both a formula and a competitive funding mechanism to support the development and implementation of state assessments. The formula grants are called Grants for State Assessments and Related Activities. This part of the program will help states pay for the development and administration of additional state assessments and standards. Each state receives $3 million, and the remaining amount is allocated based on each state's share of the population of children between the ages of 5 and 17. States may use their formula funds to pay the costs of developing additional state standards and assessments required by No Child Left Behind. If a state has already developed the required standards and assessments, it may use its funds to administer the assessments or carry out other activities designed to hold school districts and schools accountable for results.

The other part of the program, called Grants for Enhanced Assessment Instruments, provides competitive grant awards to states to collaborate with other organizations to improve the quality, validity, and reliability of state assessments beyond the requirements for these assessments in the new law. After the formula grant funding has been allocated, any remaining funds are to be used for the competitive grants. These grants are awarded based on the quality, needs, and scope of the state application.

Key Requirements

States must apply to the U.S. Department of Education, and those receiving a grant must provide the secretary of education with an annual report describing the activities they carried out under the grant and the results of those activities. Ultimately, states are required to meet the Title I accountability requirements.

How It Achieves Quality

The formula funds can be used to carry out activities that help ensure that schools and districts are held accountable for results. These activities may include developing multiple measures to increase the reliability and validity of state assessment systems or developing information and reporting systems designed to identify best educational practices based on scientifically based research.

The competitive awards are meant to improve the quality, validity, and reliability of state academic assessments through collaboration with institutions of higher education or other research institutions.

How Performance Is Measured

Annual reports to the U.S. Department of Education, a requirement for the competitive grants, will describe the activities undertaken and the result of those activities.

Title VI-A-2

Funding Transferability for State and Local Educational Agencies

Purpose

This program allows states and school districts to target certain federal funds to the federal programs that most effectively meet their local educational needs. This program empowers states and local communities by giving them more control over resource allocation decisions that will help them to elevate student achievement and close the achievement gap. States and local communities are usually in the best position to make such decisions.

WHAT'S NEW – The No Child Left Behind Act

Increases Accountability for Student Performance

- **Enforces accountability requirements.** Transferred funds are subject to all requirements of the programs to which the funds are transferred.

Reduces Bureaucracy and Increases Flexibility

- **Allows funds to be transferred across programs.** This program provides states and most districts with the flexibility to most effectively address their unique needs by allowing them to transfer certain program funds to activities that best meet their needs.

How It Works

This program allows a state to transfer up to 50 percent of the funds it receives for state-level, non-administrative activities under the Improving Teacher Quality State Grants, Educational Technology State Grants, State Grants for Innovative Programs, Safe and Drug-Free Schools and Communities State Grants (including funds reserved for the Governor's Program with the consent of the Governor), and 21st Century Community Learning Centers programs to supplement its state reservation under these programs. In addition, a state may use the transferred funds to carry out state-level activities authorized under Part A of Title I. It is important to note that funds can only be transferred into Title I; no Title I funds may be transferred to other programs.

This program also allows any district that has not been identified as in need of improvement or subject to corrective action under Title I to transfer up to 50 percent of its formula allocation under the Teacher Quality State Grants, Educational Technology State Grants, Innovative Programs, or Safe and Drug-Free Schools programs to supplement its allocation under any of the programs listed above or to supplement its allocation under Part A of Title I.

A district identified as in need of improvement may transfer up to 30 percent of its allocation for the programs listed above only if it transfers the funds to: (1) supplement its school improvement allocation; or (2) carry out Title I district improvement activities. A district identified as in need of corrective action may not transfer any funds. States and districts must use any transferred funds in such a way as to meet all the requirements of the programs to which they are transferred.

Key Requirements

Each state transferring funds must: (1) notify the U.S. Department of Education, at least 30 days prior to the transfer, of its intent to transfer funds; (2) modify each state plan affected by the transfer; (3) provide the Department, not later than 30 days after the transfer, with a copy of the modified plans; and (4) conduct consultations in accordance with Section 9501 of the ESEA in order to provide for the equitable participation of private school students and staff.

Each district that transfers funds must: (1) notify the state education agency (SEA), at least 30 days prior to the transfer, of its intent to transfer funds; (2) modify each local plan affected by the transfer; (3) provide the SEA, not later than 30 days after the transfer, with a copy of the modified plans; and (4) conduct consultations in accordance with Section 9501 of the ESEA in order to provide for the equitable participation of private school students and staff.

How It Achieves Quality

Because states and districts must use transferred funds to meet the requirements of programs to which they are transferred, all quality and performance requirements for each program apply. For example, all Teacher Quality activities supported with transferred funds must reflect scientifically based research strategies.

How Performance Is Measured

States are still accountable for the performance of each program included in the transferability authority. The transferred funds are subject to the performance measures of the program into which the funds are transferred.

Key Activities For The State Education Agencies

State education agencies must:

- Notify the U.S. Department of Education at least 30 days prior to the transfer of state funds.
- Modify each state plan affected by the transfer.
- Provide the Department, not later than 30 days after the transfer, with a copy of the modified plans.
- Enable local districts discretion in transferring funds among accounts (subject to the statutory limitations on transferability) so that they can take full advantage of the flexibility offered by the legislation.

TitleVI, Part A, Subpart-3 (a)

State Flexibility ("State-Flex") Authority

Purpose

This program gives up to seven states increased flexibility to demonstrate how certain federal funds may be used flexibly to raise student academic achievement and close the achievement gaps between groups of students. This program allows states—and between 4 to 10 districts within those states—to use certain federal funds in ways that they deem to be most productive. This program was created because many educational innovations have been developed through state and local initiatives rather than through targeted federal programs, and states and communities are often in the best position to make decisions about how to target educational resources.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Requires that achievement data be used to gauge success.** State-Flex allows states to make the best use of federal funds in their efforts to raise academic achievement and close the achievement gap. Each state must explain why and how the proposed uses of funds will increase the state's capacity to make adequate yearly progress and meet the state's educational goals.

Reduces Bureaucracy and Increases Flexibility

- **Consolidates funds across several programs.** State-Flex permits state education agencies (SEAs) to combine state-level funds across programs and specify how all districts in the state must use certain Innovative Programs State Grants (Title V-A) if doing so will help the state to raise student achievement and eliminate achievement gaps. States also must enter into between four and 10 performance agreements with school districts to accomplish these purposes in those districts. At least half of these districts must be high-poverty districts.

Increases Accountability for Student Performance

- **Withdraws flexibility authority if achievement objectives are not met.** States that fail to make adequate yearly progress for two consecutive years will lose flexibility authority. In addition, states must disseminate an annual report to the public in which they identify how consolidated funds were used to improve student achievement over the past year.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Empowers Parents

- **Informs parents of outcomes associated with the flexible use of funds.** All SEAs with State-Flex authority are required to widely disseminate to parents and the public an annual report that describes how the state and the districts with which the state has performance agreements use the consolidated funds to make adequate yearly progress and advance the education priorities of the state and districts.

How It Works

This program allows the U.S. Department of Education to grant flexibility authority to up to seven eligible SEAs for a five-year period. The secretary of education will grant State-Flex authority to eligible SEAs on a competitive basis using a peer-review process. Once granted State-Flex authority, a state does not receive any additional federal funds, but the SEA must undertake the following two activities and can choose to undertake the third activity:

Activity #1

Consolidate funds for state-level activities and state administration under any of these six Elementary and Secondary Education Act (ESEA) authorities, and use the funds for any authorized ESEA purpose in order to assist the SEA in making adequate yearly progress and in narrowing achievement gaps:

1) **Improving the Academic Achievement of Disadvantaged Children:** State Administration (Section 1004). This part of Title I authorizes states to use a portion of funds for state-level administration of the program. This program provides extra resources to help improve instruction in high-poverty schools and ensure that poor and minority children have the same opportunity as other children to meet challenging state academic standards.
2) **Reading First:** Formula Grants to State Education Agencies, State Uses of Funds (Paragraphs (4) and (5) of Section 1202(d)). These parts of the legislation authorize SEAs to use a portion of Reading First funds for technical assistance to LEAs and schools and for planning, administration and reporting purposes. Reading First helps states, school districts, and schools to ensure that every child can read at grade level or above by the end of third grade through the implementation of instructional programs and materials, assessments, and professional development based on scientifically based reading research.
3) **State Grants for Improving Teacher Quality ("Teacher and Principal Training and Recruitment"):** State Uses of Funds (Section 2113(a)(3)). This section authorizes SEAs to reserve a portion of the program funds for state-level activities and state-level administration of the program. This program aims to improve teacher and principal quality through activities such as professional development, merit pay, recruitment initiatives and a variety of other activities.
4) **Enhancing Education through Technology:** State and Local Technology Grants, Use of Allotment by State (Section 2412(a)(1)). This section authorizes states to use up to 5 percent of funds for state-level activities. The purpose of this program is to provide high-quality professional development in technology, increase access to the Internet, integrate technology into curricula, and use technology for parental involvement and management of data for informed decision-making.

5) **Safe and Drug-Free Schools and Communities Governor's funds, with agreement of governor:** Subsection (a) of Section 4112. This subsection authorizes the state to reserve a portion of funds for the governor to award competitive grants and contracts to school districts, community-based organizations, and other public and private organizations for a variety of safety and drug-prevention programs and activities.
6) **21st Century Community Learning Centers:** Allotments to States (paragraphs (2) and (3) of Section 4202(c)). These paragraphs authorize the state to use program funds for administration of the program and state-level activities. The overall purpose of this program is to provide opportunities for communities to establish or expand activities in community learning centers.
7) **Innovative Programs:** Allocation to Local Education Agencies (Section 5112(b)). This section authorizes a small portion of funds to be used for state administration of the program. This program provides funds for a wide variety of state and local reform efforts such as school renovations, technology, school choice and other initiatives.

Activity #2

Enter into performance agreements with four to 10 districts (at least half of which are "high-poverty") in the state, permitting those districts to consolidate federal funds and use them for any ESEA purpose consistent with the state's State-Flex plan. The purpose of the performance agreements is to assist the districts in making adequate yearly progress and in narrowing achievement gaps. (Under State-Flex, "high-poverty" districts are those where at least 20 percent of children are from families below the poverty line.) Districts must still meet the general purposes of the programs included in the consolidation. The four to 10 districts that enter into performance agreements with their SEA in a State-Flex state may consolidate and use funds awarded to them *on a formula basis* under any of the following programs for any ESEA Purpose:

1) **Improving Teacher Quality State Grants ("Teacher and Principal Training and Recruiting"): Subgrants to Local Education Agencies (Subpart 2 of Part A of Title II).** This subpart authorizes the allocation of subgrants to school districts for a variety of teacher quality interventions including professional development, recruitment initiatives, merit pay and many other activities.
2) **Enhancing Education through Technology (Subpart 1 of Part D of Title II).** This program awards formula grants to states. States then distribute funds to high-need districts or consortia for high-quality professional development, increased access to the Internet, integration of technology into curricula, and the use of technology for promoting parental involvement and managing data for informed decision-making.
3) **Safe and Drug-Free Schools and Communities (Subpart 1 of Part A of Title IV).** This program supports interventions that aim to: prevent violence in and around schools, prevent the use of alcohol, drugs, and tobacco by young people, and foster a safe and drug-free learning environment that supports academic achievement.
4) **Innovative Programs:** State and Local Programs (Subpart 1 of Part A of Title V). This program provides funds for a wide variety of state and local reform efforts such as school renovations, technology, school choice, and other initiatives.

Activity #3

Specify how any district in the state may use Innovative Program funds under Part A of Title V.

Key Requirements

In order to be considered for State-Flex, an SEA must submit an application that, among other things:

- *Includes a five-year plan describing how the SEA will consolidate and use funds from programs included* in the scope of the grant authority in order to make adequate yearly progress and advance the educational priorities of the state and the districts with which the SEA enters into performance agreements;
- Includes the proposed performance agreements that the SEA will enter into with between four and 10 districts (at least half of which must be high-poverty districts). Each proposed district performance agreement will contain plans for the districts to consolidate and use federal funds for activities that are aligned with the SEA's plan in order to assist the districts in making adequate yearly progress, improving student achievement, narrowing achievement gaps, and meeting the general purposes of the programs included;
- Ensures that the SEA, and the districts with which it enters into performance agreements, will meet the requirements of all applicable civil rights laws, will provide for the equitable participation of students and staff in private schools, and will use funds consolidated under this authority only to supplement and not to supplant any nonfederal sources of funds; and
- Demonstrates that the SEA has consulted with and involved parents, teachers, district representatives, and other educators in the development of the terms of the grant authority.

How It Achieves Quality

The secretary of education will grant State-Flex authority to eligible SEAs on a competitive basis using a peer-review process. Peer reviewers will use selection criteria that measure the quality of proposed State-Flex plans. In their applications, SEAs must demonstrate that their proposed State-Flex plans have substantial promise of assisting the state in making adequate yearly progress. States that fail to make adequate yearly progress for two consecutive years will lose flexibility authority.

How Performance Is Measured

All states participating in State-Flex are required to prepare an annual report that describes how the state and the districts with which the state has performance agreements use the consolidated funds to make adequate yearly progress and advance the education priorities of the state and districts. As noted above, if a State-Flex state does not make adequate yearly progress for two consecutive years, the secretary will terminate the agreement.

Key Activities For The State Education Agencies

In order to be considered for State-Flex, a state education agency must:

- Submit a comprehensive five-year State-Flex proposal to the secretary.
- Consult with parents, district representatives and other educators in developing the terms of the grant authority.
- Include in its proposal at least four and as many as 10 proposed performance agreements with districts, at least half of which must be high-poverty districts.
- Disseminate a report that describes the use of consolidated funds and how such consolidation contributes to adequate yearly progress and meets the educational needs of the state and participating districts each year.

Title VI, Part A, Subpart 3 (b)

Local Flexibility ("Local-Flex") Demonstration

Purpose

This program provides school districts with the flexibility to consolidate certain federal education funds and use them for any educational purpose permitted under the Elementary and Secondary Education Act (ESEA) as amended by the No Child Left Behind Act (NCLB) in order to assist the districts in making adequate yearly progress and in narrowing achievement gaps. Because local communities are often in the best position to determine the most effective use of educational resources, this program was created to demonstrate how local initiatives can help meet a state's definition of adequate yearly progress and attain specific measurable goals for improving student achievement and narrowing achievement gaps.

WHAT'S NEW – The No Child Left Behind Act

Focuses on What Works

- **Requires the use of disaggregated achievement data to gauge success.** In their applications, districts must indicate how they will monitor the implementation of their Local-Flex plans in order to ensure effectiveness. For example, a district will only be granted Local-Flex authority if, among other things, its proposal specifies how it will use achievement data and other academic indicators to manage the proposed activities and monitor progress.

Reduces Bureaucracy and Increases Flexibility

- **Permits consolidation of funds across several programs.** A district with Local-Flex authority may use consolidated funds for any educational purpose under NCLB in order to meet its state's definition of adequate yearly progress and other specific educational goals set in the Local-Flex agreement. Districts that consolidate funds will not be required to meet any of the specific requirements of the programs included in the consolidation. However, districts still will have to meet the general purposes of those programs.

Increases Accountability for Student Performance

- **Requires districts to set student achievement objectives.** As part of their Local-Flex plans, school districts must set annual objectives for improving student achievement and eliminating achievement gaps.
- **Withdraws flexibility authority if achievement objectives are not met.** The U.S. Department of Education must terminate any Local-Flex agreement with a district if that agency fails to meet the state's definition of adequate yearly progress for two consecutive years.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Empowers Parents

- **Requires that parents be informed of the outcomes associated with the flexible use of funds.** Each Local-Flex district will be required to disseminate widely to parents and the public an annual report that describes how the district used funds consolidated under the agreement to improve student achievement and reduce achievement gaps.

How It Works

This program allows the secretary of education to enter into local flexibility demonstration agreements with up to 80 local districts in states that do not have State-Flex authority. Local-Flex districts may consolidate and use certain federal funds for any educational purpose authorized under the ESEA. Unlike the district performance agreements under State-Flex (which are between SEAs and districts), the flexibility agreements under Local-Flex are directly between the secretary and districts. Each agreement will be for a period of five years, but that time period may be shortened or extended depending on a district's performance under the agreement.

Local-Flex districts may consolidate and use funds received on a formula basis under any of the following authorities and use those funds for any educational purpose permitted under the ESEA:

- Title II: Teacher and Principal Training and Recruiting: Subpart 2 of Part A;
- Title II: Enhancing Education through Technology: Subpart 1 of Part D;
- Title IV: Safe and Drug-Free Schools and Communities: Subpart 1 of Part A;
- Title V: Innovative Programs: Subpart 1 of Part A.

The secretary will enter into Local-Flex agreements with districts on a competitive basis using a peer-review process. The Department may enter into no more than three Local-Flex agreements per state.

Key Requirements

To be considered for Local-Flex, a district must submit to the Department a proposed Local-Flex agreement that contains several elements, including: a five-year plan that outlines strategies for meeting the district's achievement goals; information on how the district will consolidate and use funds received by formula under permitted programs; information on how the district will use baseline data on student academic achievement and data on achievement trends; and information on the district's specific measurable education goals with annual objectives for raising student achievement and narrowing achievement gaps relative to the baseline achievement data.

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How It Achieves Quality

In order to ensure quality, the secretary will select Local-Flex districts on a competitive basis using a peer-review process. The secretary will enter into Local-Flex agreements only with a district whose application shows substantial promise of helping it to meet the state's definition of adequate yearly progress and state-specific goals for improving academic achievement and eliminating achievement gaps. If a district fails to meet the state's definition of adequate yearly progress for two consecutive years, the Department will terminate the Local-Flex agreement with that district.

How Performance Is Measured

At the end of each year of the Local-Flex agreement, the district must prepare a report that describes how the district used the funds consolidated under the agreement to improve student achievement and reduce achievement gaps. The district submits this report to the secretary and must widely disseminate it to parents and the general public. If a Local-Flex district does not make adequate yearly progress for two consecutive years during the term of the agreement, the secretary must terminate the agreement.

Title VI, Part B, Subpart 1

Rural Education Initiative: Small, Rural School Achievement

Purpose

This program provides additional formula funds and flexibility in the use of certain federal funds to small, rural districts.

WHAT'S NEW – The No Child Left Behind Act

Reduces Bureaucracy and Increases Flexibility

- **Provides participating districts with additional flexibility.** Eligible districts are authorized to consolidate certain federal funds.
- **Increases eligibility options.** Additional options may be used to make districts eligible.

Increases Accountability for Student Performance

- **Districts required to make annual yearly progress.** State education agencies (SEAs) are required to determine, after the third year, if a school district has to meet adequate yearly progress requirements. If the district has, it may continue to participate. If not, it may participate only if it moves the applicable funds from school from school improvement activities.

How It Works

This formula grant program provides funds directly to eligible school districts based on the number of students in average daily attendance in the schools served by the district and the amount that the district received under certain federal programs in the previous fiscal year. To be eligible for this program, a district must: (1) have an average daily attendance of fewer than 600 students or serve only schools located in counties with a population density of fewer than 10 persons per square mile and (2) serve only schools located in an area defined by the U.S. Department of Education as being rural or rural near an urban area (or the LEA can demonstrate that is located in an area defined as rural by a state government agency).

Districts are authorized to combine their allocations under the Improving Teacher Quality, State Grants for Innovative Programs (formerly Title VI), Safe and Drug-Free Schools and Communities, 21st Century Community Learning Centers, and Educational Technology State Grants programs. Districts are authorized to use their consolidated funds to carry out activities authorized under the Title I, Teacher Quality, Educational Technology, Bilingual Education, Innovative Programs, and Safe and Drug-Free Schools programs.

Key Requirements

Each participating district must administer an assessment that is consistent with the assessment required under Title I. State education agencies are required to determine, after the third year that a district participates, whether the district met the state's definition of adequate yearly progress. SEAs may permit districts that met the definition of adequate yearly progress to continue to participate and permit a district that did not meet the definition of adequate yearly progress to continue to participate only if it agrees to use its consolidated funds for Title I school improvement activities.

How Performance Is Measured

Districts must meet adequate yearly progress to continue to participate and have maximum flexibility in the use of funds. If a district fails to meet adequate yearly progress, it may continue to participate only if it uses its funds for Title I school improvement activities.

Title VI, Part B, Subpart 2

Rural Education Initiative: Rural and Low-Income Schools

Purpose

This new program provides additional funds to rural districts that serve concentrations of poor students. An LEA that is eligible to receive funds under the Small, Rural School Achievement program may not participate in the Rural and Low-Income School Program.

WHAT'S NEW – The No Child Left Behind Act

Increases Accountability for Student Performance

- **Requires adequate yearly progress.** State education agencies (SEAs) are required to determine, after the third year, if and how a district can continue to participate in the program based on its ability to meet adequate yearly progress requirements.
- **Establishes education goals.** Requires each state or specially qualified agency (an eligible district in a state that chooses not to apply for a grant) to establish, at a minimum, specific educational goals and objectives related to: (1) increased student achievement; (2) decreased student dropout rate; or (3) other factors that the SEA or specially qualified agency may choose to measure.
- **Requires an annual progress report.** All grant recipients must provide the U.S. Department of Education with an annual report on how districts and schools used the funds and what progress was made toward the goals and objectives included in the state's application for funds. SEAs that receive grants also must include the method they used to allocate funds to eligible districts.

Reduces Bureaucracy and Increases Flexibility

- **Allows direct applications to the federal government.** Eligible districts in states that choose not to participate in the program can apply directly to the U.S. Department of Education for funds.

How It Works

This formula grant program provides funds based on each state's share of students in average daily attendance in eligible districts. Participating SEAs have three options to allocate funds to eligible districts. The first is through a formula based on a district's share of the number of students in average daily attendance in eligible districts within the state. The second is by a competitive process. The third is through an alternative formula that, to the satisfaction of the U.S. Department of Education, more effectively targets funds to high-poverty districts. The Department is required to make awards to specially qualified agencies (an eligible school district in a state that chooses not to apply for a grant) through a formula based on a district's share of the number of students in average daily attendance in eligible districts within the state or through a competitive process. Any eligible entity that wants to receive a grant needs to submit an application.

How It Achieves Quality

An SEA or a specially qualified agency is required to establish, at a minimum, specific educational goals and objectives related to increasing student achievement and decreasing the student dropout rate.

How Performance Is Measured

All grant recipients must provide U.S. Department of Education with an annual report on how districts and schools used the funds and made progress toward the goals and objectives included in the state's application for funds. SEAs that receive grants also must include in this annual report the method used by the SEA to allocate funds to eligible districts. The U.S. Department of Education must report biennially to Congress on (1) the methods used by SEAs to allocate funds to eligible districts; (2) how districts and schools used the funds; and (3) progress made by SEAs toward the goals and objectives included in their application for funds. Performance is also measured in terms of adequate yearly progress.

Key Activities For The State Education Agencies

State education agencies must:

- Apply for funds through a program-specific application or as part of the consolidated application.
- Submit an annual report on (1) the method used by the SEA to allocate funds to eligible districts; (2) how districts and schools used the funds; and (3) the progress made toward the goals and objectives included in the state's application for funds.
- Allocate funds to districts either by formula or a competitive process.

Title VI, Subpart C, Section 411

General Provisions, National Assessment of Educational Progress, National Education Statistics Act

Purpose

The National Assessment of Educational Progress (NAEP) provides high-quality data on the achievement of elementary and secondary school students in reading, mathematics, science, and other subjects. NAEP, also known as the "nation's report card," is the only nationally representative and continuing assessment of what America's students know and can do in various subject areas. It has been administered periodically since 1969.

WHAT'S NEW – The No Child Left Behind Act

Reduces Bureaucracy and Increases Flexibility

- **Provides federal funding for administration of NAEP state assessments.** The No Child Left Behind Act removes a previous prohibition on using federal funds to pay for the administration of state assessments, and authorizes funding to pay for administration of these assessments.
- **Limits the use of NAEP.** The new law prohibits the federal government from using NAEP to influence standards, assessments, curriculum, or instructional practices at the state and local levels to evaluate individual students or teachers or to provide rewards or sanctions for individual students, teachers, schools, or school districts. In addition, the law specifies that NAEP may not be used for student promotion or graduation purposes, and that NAEP should not affect home schools.

Increases Accountability for Student Performance

- **Requires states and selected school districts to participate in biennial state-level NAEP assessments** in reading and mathematics at grades 4 and 8 as a condition for receiving Title I funds. State-level NAEP data will enable policymakers to examine the relative rigor of state standards and assessments against a common metric.

Empowers Parents

- **Informs parents.** Parents of children selected to participate in NAEP must be informed before the assessment is administered that their child may be excused from participating and is not required to complete the assessment or answer any test question.
- **Ensures access to NAEP data and questions.** Parents and members of the public will have access to all assessment data, questions, and assessment instruments in a secure setting.

How It Works

By making objective information on student performance available to policymakers at the national, state, and local levels, NAEP has become an important tool in the evaluation of our nation's education system.

NAEP is administered by the U.S. Department of Education's National Center for Education Statistics (NCES) under the policy direction of the independent National Assessment Governing Board (NAGB). Under current law, NAEP must conduct biennial national and state assessments in reading and mathematics at grades 4 and 8. In addition, NAEP must conduct a national assessment and may conduct a state assessment in reading and mathematics in grade 12 at regularly scheduled intervals. To the extent that time and money allow, NAEP must be conducted in additional subjects—including science, writing, history, geography, civics, economics, foreign languages, and arts—in grades 4, 8, and 12 at regularly scheduled intervals. NCES also will continue the long-term trend assessments of students at ages 9, 13, and 17 in reading and mathematics.

Results of the assessments are reported for the nation and states in terms of average scores as well as the percentage of students that reach each of the Governing Board's three achievement levels: basic, proficient, and advanced. NAEP results will be disaggregated to the extent feasible by race, ethnicity, gender, socioeconomic status, disability, and limited English proficiency.

The No Child Left Behind Act amended the National Education Statistics Act provisions concerning NAEP and also added requirements concerning state and district participation in NAEP to the Title I statute. States are now required to participate in the biennial state-level NAEP in reading and mathematics at grades 4 and 8 as a condition of receiving Title I funds. Similarly, school districts selected for the NAEP sample are required to participate as a condition of Title I funding. Participation in other NAEP assessments is voluntary for states and school districts. Participation in all NAEP assessments is voluntary for students.

The federal government will pay for the administration of the state NAEP assessments. The No Child Left Behind Act amendments to the Elementary and Secondary Education Act removed the previous prohibition on using federal funds to pay to administer state NAEP assessments.

How It Achieves Quality

The statute requires NCES to provide for ongoing review of NAEP assessments by professional organizations to ensure quality. Oversight of NAEP assessments and policy is provided by the independent, bipartisan National Assessment Governing Board, whose members include governors, state legislators, local and state school officials, educators, business representatives, parents, and members of the general public.

Title VII, Part A

Indian Education

Purpose

The Indian Education program supports the efforts of school districts, Indian tribes and organizations, postsecondary institutions, and other entities to meet the unique educational and culturally related academic needs of American Indian and Alaska Native students so that they can meet the same challenging state student academic achievement standards as all other students.

The federal government has a unique and continuing trust relationship with and responsibility to the Indian people for the education of Indian children. The federal government continues to work with school districts, Indian tribes and organizations, postsecondary institutions, and other entities toward the goal of ensuring that programs that serve Indian children are of the highest quality and provide for not only the basic elementary and secondary educational needs but also the unique educational and culturally related academic needs of these children.

On average, American Indian and Alaska Native students tend to demonstrate lower achievement levels than members of other groups. National Assessment of Educational Progress test results for fourth-graders show that American Indians and Alaskan Natives score below basic levels in reading, math, and history. Other differences exist between the American Indian and Alaska Native population and the general population in educational attainment. For example, only 66 percent of American Indians and Alaska Natives had graduated from high school in 1990, compared with 75 percent of the general population. American Indian and Alaska Native students are also less frequently college-bound, and their SAT and ACT scores are lower than national norms.

WHAT'S NEW – The No Child Left Behind Act

Reduces Bureaucracy and Increases Flexibility

- **Authorizes school districts receiving funds under the formula program to consolidate funds from other federal programs that provide education and related services to Indians as a demonstration authority.** Requires the U.S. Department of Education to submit an interim report to Congress on the status of the demonstration project within two years of enactment and a final report within five years.

How It Works

There are three major activities funded under the Indian Education Program: Grants to districts, special programs, and national activities.

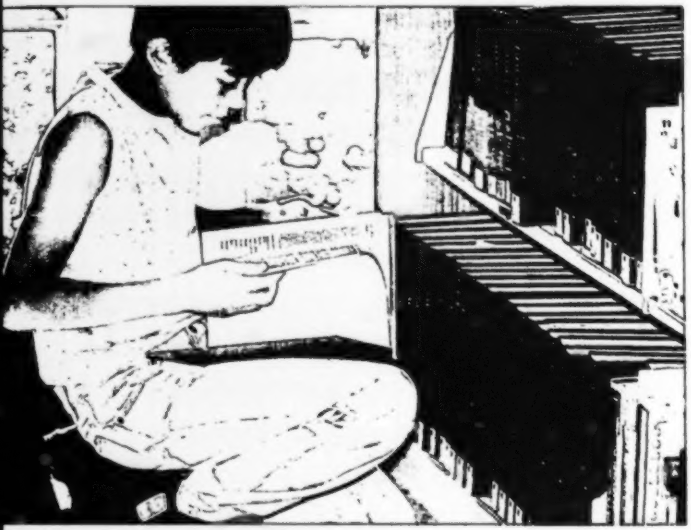
- **Grants to school districts.** Formula grants are given to school districts and Bureau of Indian Affairs (BIA) -operated or supported schools based on the number of Indian children and the state's per-pupil expenditure for education. Grants go only to districts in which there are at least 10 Indian children or the Indian children make up at least 25 percent of the total enrollment. Districts in California, Alaska, and Oklahoma, and those located on or near reservations, are exempted from this requirement. Each local district receives at least $3,000.

- **Special Programs.** Competitive grants are given to, among others, state education agencies (SEAs) and districts, Indian tribes and organizations, and federally supported schools for Indians for up to five years. Currently funded activities include demonstrations for early childhood projects and professional development.
- **National Research, Data Collection, and Evaluation Activities.** The U.S. Department of Education may carry out any of these activities directly or through grants to, or contracts or cooperative agreements with, Indian tribes, Indian organizations, state education agencies (SEAs), school districts, institutions of higher education, including Indian institutions of higher education, and other public and private agencies and institutions. Research activities will be carried out in consultation with the Office of Educational Research and Improvement (OERI) and may include collaborative research activities that are jointly funded and carried out by the Office of Indian Education Programs (OIE) and OERI.

Key Requirements

Grants to local school districts. Acceptable activities under this program include:

- Culturally related activities that support the application;
- Early childhood and family programs;
- Enrichment programs that directly support the attainment of challenging state academic content and student academic achievement standards;
- Integrated educational services;
- Career preparation activities;
- Activities concerning substance abuse and to prevent substance abuse;
- Activities that incorporate American Indian- and Alaska Native-specific curriculum content, consistent with state standards, into the curriculum; and
- Family literacy services.



Special Programs. Acceptable activities under this program include:

- Incentive programs related to the educational needs of educationally disadvantaged children;
- Educational services;
- Bilingual and bicultural programs and projects;
- Special health and nutrition services, and other related services;
- Programs designed to assist and encourage Indian children to enter, remain in, or re-enter school, and to increase the rate of high school graduation for Indian children;
- Early childhood and kindergarten programs;
- Partnership projects between schools and local businesses for career preparation programs designed

to provide Indian youths with the knowledge and skills they need to make an effective transition from school to a high-skill, high-wage career;

- Programs designed to encourage and assist Indian students to work toward, and gain entrance into, an institution of higher education; and
- Family literacy services.

National Research Activities. The U.S. Department of Education may use funds to conduct research related to effective approaches for educating Indian children and adults; evaluate federally assisted education programs from which Indian children and adults may benefit; collect and analyze data on the educational status and needs of Indians; and carry out other activities that are consistent with the purpose of this program.

How It Achieves Quality

Applications for district formula grants must include academic content and student academic achievement goals, as well as benchmarks for attaining such goals, that are based on the challenging state academic content and achievement standards for all children adopted under Title I. Applicants for competitive grants must provide information demonstrating that the proposed program is based on scientific research and may have been modified to be culturally appropriate for students who will be served.

How Performance Is Measured

Each school district will prepare and submit reports to the U.S. Department of Education on the effectiveness of the funded activities in improving the educational achievement of Indian students.

Title VII-B

Native Hawaiian Education

Purpose

The Education of Native Hawaiians program develops innovative educational programs to assist native Hawaiians, provides direction and guidance to appropriate federal, state, and local agencies to focus resources on native Hawaiian education, provides periodic assessment and data collection, and encourages the maximum participation of native Hawaiians in planning and managing native Hawaiian education programs.

This program was enacted because of native Hawaiians' unique status as the indigenous people of a once-sovereign nation to whom the United States has established a trust relationship. Native Hawaiian students continue to begin school lagging behind other students in terms of readiness factors such as vocabulary test scores. Native Hawaiian students also continue to score below national norms on standardized education achievement tests at all grade levels. Both public and private schools continue to show a pattern of lower percentages of native Hawaiian students in the uppermost achievement levels and in gifted and talented programs. Native Hawaiian students are often overrepresented among students qualifying for special education programs provided to students with learning disabilities, mild mental retardation, emotional impairment, other such disabilities, and are more likely to be retained in grade level and to be excessively absent in secondary school. Additionally, Native Hawaiians are underrepresented in institutions of higher education and among adults who have completed four or more years of college.

WHAT'S NEW – The No Child Left Behind Act

Reduces Bureaucracy and Increases Flexibility

- **Combines six programs into one comprehensive grant program.** Consolidated programs include: The Native Hawaiian Family-Based Education Centers; the Native Hawaiian Curriculum Development, Teacher Training and Recruitment Program; the Native Hawaiian Gifted and Talented Program; the Native Hawaiian Higher Education Program; the Native Hawaiian Special Education Program, and the Native Hawaiian Community-Based Education Learning Centers.

Focuses on What Works

- **Sets a priority for reading.** One of four priorities that the U.S. Department of Education will consider in awarding grants are projects designed to address beginning reading and literacy among students in kindergarten through third grade. This emphasis is important for native Hawaiian students because of their lower standardized assessment test scores.
- **Sets other priorities.** In awarding grants, the U.S. Department of Education also gives a priority to projects that are designed to address the needs of at-risk children and youths; needs in fields or disciplines in which native Hawaiians are underemployed; and the use of the Hawaiian language in instruction.

WHAT'S NEW – The No Child Left Behind Act (cont.)

Other Major New Requirements

- Appoints members of the Native Hawaiian Education Council. The secretary of education is required to appoint members of the Native Hawaiian Education Council based on recommendations from the native Hawaiian community. The council may make direct grants to coordinate the educational and related services and programs available to native Hawaiians.

How It Works

This program consists of two separate activities: The Native Hawaiian Education Council (and grants) and the Native Hawaiian Education programs.

Members of the Education Council are appointed by the secretary of education based on recommendations received from the native Hawaiian community. The U.S. Department of Education makes a direct grant to the council. The Department also can make direct grants to, or enter into contracts with, native Hawaiian educational organizations; native Hawaiian community-based organizations; public and private nonprofit organizations, agencies, and institutions with experience in developing or operating native Hawaiian programs or programs of instruction in the native Hawaiian language; and consortia of the organizations, agencies, and institutions, to carry out programs that meet the purposes of this program. The Department also helps establish native Hawaiian education island councils on seven of the Hawaiian Islands.

Key Requirements

Native Hawaiian Education Council Grant. The Department will make a direct grant to the Education Council to carry out the following activities:

- Coordinate the educational and related services and programs available to native Hawaiians, including those supported under Title VII-B.
- Assess the extent to which such services and programs meet the needs of native Hawaiians, and collect data on Native Hawaiian education.
- Provide direction and guidance by issuing reports and recommendations to appropriate federal, state, and local agencies in order to focus and improve the use of resources, including resources made available under Title VII-B, relating to native Hawaiian education, and serve, where appropriate, in an advisory capacity.
- Make direct grants, if such grants enable the Education Council to carry out its duties.

No later than four years after the enactment of the No Child Left Behind Act, the secretary of education shall prepare and submit to Congress a report that summarizes the annual reports of the Education Council, describes the allocation and use of funds, and contains recommendations for changes in federal, state, and local policy to advance the purposes of this program.

Native Hawaiian Education programs. In awarding grants or contracts, the U.S. Department of Education will give priority to projects that are designed to address:

- beginning reading and literacy among students in kindergarten through third grade;
- the needs of at-risk children and youths;
- needs in fields or disciplines in which native Hawaiians are underemployed; and
- the use of the Hawaiian language in instruction.

Title VII, Part C

Alaska Native Education

Purpose

This program is designed to meet the unique educational needs of Alaska Natives and support the development of supplemental educational programs for their benefit. Many Alaska Native children begin and leave school with serious educational handicaps. The educational achievement of Alaska Native children is far below national norms. Native performance on standardized tests is low, Native student dropout rates are high, and natives are significantly underrepresented among Alaskans who have college degrees. The sheer magnitude of the geographic barriers to be overcome in delivering educational services in rural Alaska and Alaska villages requires the development and implementation of a variety of innovative, model programs. More than half of Alaska's public schools are in rural areas. Its rural schools are the smallest on average in the nation, and are heavily attended by Alaska Natives.

WHAT'S NEW – The No Child Left Behind Act

Reduces Bureaucracy and Increases Flexibility

- **Combines three separate programs into one program.** Consolidated programs include: the Alaska Native Educational Planning, Curriculum Development, Teacher Training and Recruitment program; the Alaska Native Home-Based Education for Preschool Children program; and the Alaska Native Student Enrichment program. By combining these programs, grantees have additional flexibility to choose where they want to spend their funds.

Other Major New Requirements

- **Expands the types of services available to Alaska Natives,** including cultural exchange programs, parenting education, dropout prevention, and community engagement.

How It Works

Competitive grants and contracts are awarded to eligible applicants, which include Alaska Native organizations, educational entities with experience in developing or operating Alaska Native programs or programs of instruction conducted in Alaska Native languages; cultural, and community-based organizations, and state education agencies (SEAs) or school districts, if they apply as part of a consortium involving an Alaska Native organization.

Key Requirements

In awarding grants or contracts, the U.S. Department of Education will give priority to applications from Alaska Native regional nonprofit organizations or consortia that include at least one Alaska Native regional nonprofit organization.

Permissible activities under these grants and contracts include:

- Developing and implementing plans, methods, and strategies to improve the education of Alaska Natives.
- Developing curricula and educational programs that address the educational needs of Alaska Native students.
- Professional development activities.
- Developing and operating home-instruction programs for Alaska Native preschool children.
- Family literacy services.
- Student enrichment programs in science and mathematics.
- Research and data-collection activities to determine the educational status and needs of Alaska Native children and adults.
- Remedial and enrichment programs to assist Alaska Native students in performing at a high level on standardized tests.
- Education and training of Alaska Native students enrolled in a degree program that will lead to certification or licensing as teachers.
- Parenting education.
- Activities carried out through Even Start and Heart Start programs and other early learning and preschool programs.
- Dropout prevention programs.
- Career preparation activities to enable Alaska Native children and adults to prepare for meaningful employment.
- Providing operational support and purchasing equipment to develop regional vocational schools in rural areas of Alaska, including boarding schools, for Alaska Native students in grades 9 through 12 or above, to provide students with the necessary resources to prepare for skilled employment opportunities.

Key Activities For The State Education Agencies

A state education agency may apply for a grant as part of a consortium involving an Alaska Native organization.

Title VIII

Impact Aid

Purpose

Impact Aid provides financial assistance to school districts affected by federal activities. Because federal property is exempt from local property taxes, Impact Aid helps to replace the lost revenue that would otherwise be available to pay for educating children who live on federal property or whose parents work on federal property.

How It Works

Impact Aid provides formula and competitive grants directly to eligible school districts. Funds flow primarily through Basic Support Payments on behalf of federally connected children (86 percent of all Impact Aid funds requested in the president's budget for FY 2003). Additional payments are made for federally connected children with disabilities, construction and renovation of school facilities, federal property removed from local tax rolls after 1938, and maintenance of school facilities owned by the U.S. Department of Education.

Basic Support Payments provide formula grants to about 1,400 school districts with federally connected children—that is, children who live on federal property with a parent who is employed on federal property; children who live on federal property with a parent who is on active military duty or is a foreign military officer; children who live on certain Indian lands; children who do not live on federal property but who have a parent who is on active military duty or is a foreign military officer; children who live in low-rent housing assisted under the United States Housing Act of 1937; children who live on federal property but do not fit any of the above categories; and children who do not live on federal property but have a parent who is employed on federal property.

Payments for Children with Disabilities provide supplemental assistance to school districts that have certain federally connected children who have disabilities.

Construction funds include both formula and competitive grants to support the construction or renovation of school facilities in eligible school districts, which include districts with large numbers of children living on Indian lands or children with a parent in the uniformed services.

Payments for Federal Property provide aid to districts with significant amounts of federally owned property acquired since 1938, generally based on an estimate of the local revenue that the school district would have received if the property had remained on the tax rolls.

Facilities Maintenance funds support essential repairs to school facilities owned by the U.S. Department of Education. These schools serve large numbers of military dependents. The Department is repairing these schools so that local school districts will accept the transfer of title for these buildings.

Title IX

General Provisions

Purpose

This section includes general provisions that affect all programs under the No Child Left Behind Act.

WHAT'S NEW – The No Child Left Behind Act

Increases Accountability for Student Performance

- **Allows development of content standards.** State education agencies (SEAs) may use Title I administrative funds to develop challenging academic content standards and academic assessments. This may include, for example, developing additional academic content standards for science or for grades not yet included in state standards for math and reading.
- **Prohibits federally sponsored national testing** except international comparisons and other assessments explicitly provided by law, such as the National Assessment of Educational Progress (NAEP).

Reduces Bureaucracy and Increases Flexibility

- **Provides authority to consolidate administrative funds.** SEAs and school districts may consolidate administrative funds to eliminate duplication in conducting administrative functions to enhance the effectiveness and coordination of programs.
- **Provides authority to submit a consolidated application.** SEAs may apply for programmatic funds through a consolidated application process, rather than applying for funds on a program-by-program basis.
- **Streamlines reporting** for participation in U.S. Department of Education programs into a single annual consolidated report to reduce costly duplication and burden, and encourage effective program implementation.
- **Continues the U.S. Department of Education's authority to grant waivers** from many statutory or regulatory requirement of the No Child Left Behind Act. However, there are certain limitations and exceptions to this waiver authority set forth in the statute.

Empowers Parents

- **Requires options to attend safe public schools.** SEAs must establish and implement a policy to allow students attending persistently dangerous public schools or who become victims of violent crimes while at school to attend safe public schools within the district (see discussion, "Unsafe School Choice Option, Title IX, Part E, Subpart 2, Section 9532" in this guide).

WHAT'S NEW – The No Child Left Behind Act (cont.)

Other Major New Requirements

- **Prohibits teacher testing.** Program funds cannot be used for mandatory teacher or paraprofessional national testing.

How It Works

This legislation adds general provisions that affect most programs under ESEA. Key provisions include:

- SEAs and districts may consolidate administrative funds to enhance the effectiveness and coordination of programs.
- SEAs are to use Title I administrative funds to develop challenging academic content standards and academic assessments.
- Rather than submitting many individual applications, SEAs and districts may continue to use consolidated plans, in consultation with the governor, to cover plans that the U.S. Department of Education requires.
- SEA reporting is streamlined into a single annual consolidated report.
- The U.S. Department of Education has continued authority to grant waivers from burdensome regulation.
- Private school students continue to receive services from NCLB programs, including Reading First, Even Start, Safe and Drug Free Schools, 21st Century Community Learning Centers, Math-Science Partnerships, migrant, professional development, technology and bilingual special services.
- Districts are required to provide services to private school students in a timely manner and to consult private school officials in planning such services.
- U.S. Department of Education officials are prohibited from requiring, recommending, or certifying curriculum, programs or standards.
- Program funds cannot be used for mandatory teacher or paraprofessional national testing or certification.
- Federally sponsored national testing is prohibited, except international comparisons and other assessments explicitly provided by law.
- Funds cannot be used for condom or other contraceptive distribution, obscene materials, promotion of sexual activities, or for sex education in schools that is not age- appropriate and does not emphasize abstinence.
- Establishing a national database of personally identifiable information is prohibited.
- Federal control of home schooling is prohibited. Home schools are not subject to NCLB or NCLB assessments.
- NCLB funds are denied to any school district that has a policy that prevents, or otherwise denies participation in, constitutionally protected prayer in public elementary and secondary schools.
- Districts receiving NCLB funds are required to provide Armed Forces recruiters the same access to high school students as college and job recruiters.
- Any local district that discriminates against or denies equal access to patriotic organizations, such as the Boy Scouts of America, is denied funds.
- SEAs must establish and implement a policy to allow students attending persistently dangerous public schools or who become victims of violent crimes while at school to be allowed to attend safe public schools within the district (see discussion, "Unsafe School Choice Option, Title IX, Part E, Subpart 2, Section 9532" in this guide).

Title IX, Part E, Subpart 2, Section 9532

Unsafe School Choice Option

Purpose

The Unsafe School Choice Option requires each state that receives funds under the Elementary and Secondary Education Act as amended by the No Child Left Behind Act to establish and implement a statewide policy requiring that students who attend a persistently dangerous school or become victims of violent crimes on the grounds of a school they attend be allowed to attend a safe school within the same district.

In 1999, students ages 12 through 18 were victims of 2.5 million crimes at school, including 186,000 serious violent crimes (that is, rape, sexual assault, robbery, and aggravated assault). Student safety is of concern outside of school premises as well: in 1999, students were more than twice as likely to be victims of serious violent crime away from school as at school.

The percentage of students being victimized at school has declined during the last few years. Between 1995 and 1999, the percentage of students who reported being victims of crime at school decreased from 10 percent to 8 percent. However, the prevalence rates of some types of crimes at school have not changed. For example, between 1993 and 1999, the percentage of students in grades 9 through 12 who were threatened or injured with a weapon on school property in the past 12 months remained constant, at about 7 to 8 percent.

The Unsafe School Choice Option provision will help parents, regardless of income, remove their children from a dangerous or distressing school setting. Reducing students' concerns for their safety will allow them to better concentrate on their studies and thus improve their academic achievement.

How It Works

Each state must establish, in consultation with a representative sample of school districts, a definition of what constitutes a "persistently dangerous" public elementary or secondary school. States must allow students who attend such schools, or who are the victims of a violent crime while on the grounds of the school they attend, to transfer to a safe public elementary or secondary school, including a public charter school, in the same district.

Key Activities For The State Education Agencies

State education agencies, or the state agency designated to handle Unsafe School Choice Option responsibilities, must:

- Establish a state "Unsafe School Choice Option" policy.
- Identify "persistently dangerous" schools.
- Identify types of offenses that are considered to be violent criminal offenses.
- Provide a safe public school choice option.
- Include a certification of compliance in applications for ESEA funds.

Title X, Part C

Mckinney-Vento Homeless Education Assistance Improvements

Purpose

Each year, more than 800,000 children and youths in the United States experience homelessness. The Education for Homeless Children and Youth program is intended to ensure that homelessness does not cause these children to be left behind in school. Homeless children and youths should have access to the education and other services that they need to meet the same challenging state student academic achievement standards to which all students are held.

WHAT'S NEW – The No Child Left Behind Act

Reduces Bureaucracy and Increases Flexibility

- **Enrollment in school of choice.** Requires that, pending resolution of a dispute about school placement, a school district must immediately enroll a homeless student in the student's school of origin or other school selected on the basis of the child's best interest and provide a written explanation of the rights of appeal to the parent or guardian and student.

How It Works

Formula grants are made to the 50 states, the District of Columbia, and Puerto Rico based on each state's share of Title I funds. The outlying areas and the Bureau of Indian Affairs also receive funds. State education agencies (SEAs) then provide competitive subgrants to local school districts. States must make subgrants to districts to facilitate the enrollment, attendance, and success in school of homeless children and youths. These may address problems caused by transportation issues, immunization and residency requirements, lack of birth certificates and school records, and guardianship issues.

Key Requirements

Activities under the state formula grants include:

- Activities to carry out the program's goals;
- Activities for, and services to, homeless children, including preschool-age homeless children, and youths that enable them to enroll in, attend, and succeed in school or preschool programs;
- Establishing or designating an Office of Coordinator for Education of Homeless Children and Youths in each SEA;
- Preparing and carrying out the state plan; and

- Developing and implementing professional development programs for school personnel to heighten their awareness of, and capacity to respond to, specific problems in the education of homeless children and youths.

Districts serving homeless children and youths may use subgrant funds for such activities as:

- Coordination and collaboration with other local agencies to provide comprehensive services to homeless children and youths and their families;
- Expedited evaluations of homeless children's needs to help facilitate enrollment, attendance, and success in school;
- Tutoring, supplemental instruction, and enriched educational services;
- Professional development designed to raise awareness of the needs of homeless children and youths
- Referral of health services to homeless children and youths
- Pay the excess cost of transportation for homeless children and youths attend their selected schools that is not provided through other sources; and
- Developmentally appropriate preschool programs.

How Performance is Measured

The U.S. Department of Education will prepare a report to Congress that will include information on the effectiveness of programs supported with these funds.

Key Activities For The State Education Agencies

State education agencies must:

- Submit a state plan and, as directed by the secretary, reports to the U.S. Department of Education;
- Establish an Office of Coordinator of Homeless Children and Youths to gather valid, reliable and comprehensive information on the nature and extent of problems, and to improve the provision of innovative practices;
- Determine and communicate the eligibility of districts and schools; and
- Review and revise laws and practices that impede equal educational access. States are required to have an approved plan for addressing problems associated with the enrollment, attendance, and success in school of homeless children and youths.

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